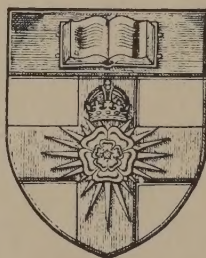


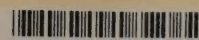
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B I L L S,
PUBLIC:

EIGHT VOLUMES.

—(5.)—

LOCAL GOVERNMENT PROVISIONAL ORDERS
TO
MERCHANDISE MARKS PROSECUTIONS.

Session

12 *March* 1894 — 25 *August* 1894.

VOL. V.

1894.



B I L L S :

1894.

EIGHT VOLUMES:—CONTENTS OF THE FIFTH VOLUME.

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A
B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Liversedge and Mirfield and the Stroud Joint Hospital Districts.

A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

10 1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Short title. Provisional Orders Confirmation Act, 1894.

SCHEDULE.

A.D. 1894. <i>Liversedge and Mirfield Order.</i>	LIVERSEEDGE AND MIRFIELD JOINT HOSPITAL DISTRICT. <i>Provisional Order for forming a United District under Section 279 of the Public Health Act, 1875.</i>	5
	To the Liversedge Local Board, being the Sanitary Authority for the Urban Sanitary District of Liversedge, in the County of the West Riding of Yorkshire ; —	
	To the Mirfield Local Board, being the Sanitary Authority for the Urban Sanitary District of Mirfield, in the said County ; —	10
	And to all others whom it may concern.	
38 & 39 Vict. c. 55.	WHEREAS the several Sanitary Authorities named in column 2 of the Schedule to this Order (herein-after referred to as “the Schedule”) are the Local Authorities within the meaning of the Public Health Act, 1875 (herein-after referred to as “the Act”), for the several Urban Sanitary Districts named in column 1 of the Schedule :	15
38 & 39 Vict. c. 55.	Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf, do hereby Order as follows ; viz.,—	
	Art. I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as “the appointed day”).	20
	Art. II. The Urban Sanitary Districts named in column 1 of the Schedule (which Districts are herein-after referred to as “the Constituent Districts”) shall be formed into a United District, to be called the Liversedge and Mirfield Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases.	25
	Art. III. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and eight elective members, and shall be called the Liversedge and Mirfield Joint Hospital Board (herein-after referred to as “the Joint Board”).	30
	Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedule, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the Schedule (herein-after referred to as “the Constituent Authorities”).	45

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the Schedule, and the said members shall be chosen by the members of each of the Constituent Authorities from among the members of its own body.

A.D. 1894.

*Liversedge
and
Mirfield
Order.*

Art. VI. The provisions of Rules 5 and 64 of Schedule II. to the Act, and of Section 4 of the Public Health (Members and Officers) Act, 1885, shall, *mutatis mutandis*, apply to members of the Joint Board.

38 & 39 Vict.
c. 55.
48 & 49 Vict.
c. 53.

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen:

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

Art. XI. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board four members shall constitute a quorum:

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members of the Joint Board.

A.D. 1894.

*Liversedge
and
Mirfield
Order.*

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier 5 time as the Joint Board may from time to time direct.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding three years, as may be 10 determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, 15 medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception 20 of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent 25 of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or of either of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of either of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the 30 Act, with the consent required by that section:

Provided that if the Guardians of the Poor of the Dewsbury Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe. 35

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far 40 as the same are applicable; viz.,—

Of the Act:—

Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.

Sections 173 and 174 (except sub-section 3), relating to contracts. 45

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to officers and conduct of business of Local Authorities. A.D. 1894.

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit. *Liversedge
and
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- 5 Sections 251, 253, 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 298, as to costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

- 10 Of the Public Health (Officers) Act, 1884 :—

Section 2.

47 & 48 Vict.
c. 74

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

48 & 49 Vict.
c. 53.

- 15 Art. XVI. The Joint Board shall, for the purpose of the sections of the Act, with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as any powers are so conferred, and as any duties are so imposed ; but nothing in this Order contained shall prevent the Local Government Board from
- 20 imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

- 25 Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

- 30 Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients,

- 35 (2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the amounts which, at the time of issuing the precepts of the Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate in the nature of a
- 40 general district rate at an equal rate in the pound.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose Districts the patients have been received into the hospital, shall be ascertained as follows ; viz.,—

- 45 (a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

A.D. 1894.

*Liversedge
and
Mirfield
Order.*

(b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, except so far as the same shall be included in the salary of the medical officer or medical officers, and in and about the clothing, conveyance to and from the hospital, 5 burials, and funerals of patients; and shall also include the remuneration and rations of nurses.

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the 10 hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,—

(a) the name of each patient;

(b) the number of weeks (and for the purposes of this Order any period less 15 than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital; and

(c) the amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority.

(3.) The amount shown by such account to be due shall be paid by the 20 Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner 25 as the sums to be contributed towards such common fund.

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment. 30

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XXIII. If at any time any new urban district is formed including the whole or any part of either of the Constituent Districts, or the boundaries of 35 either of the Constituent Districts are otherwise altered, or the whole of either of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the 40 incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of 45 the provisions of this Order, the same shall be referred to, and be settled by

arbitration in the manner provided by the Act, except in any case otherwise A.D. 1894.
herein provided for.

Art. XXV. This Order may be cited as the Liversedge and Mirfield Joint Hospital Order, 1894.

*Liversedge
and
Mirfield
Order.*

5 The SCHEDULE above referred to.

	1.	2.	3.	4.	
10	Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members
			Number.	Description.	Number.
	The Local Government District of Liversedge.	The Liversedge Local Board	1	The Chairman of the Local Board.	4
15	The Local Government District of Mirfield.	The Mirfield Local Board	1	ditto	4

Given under the Seal of Office of the Local Government Board, this
Twenty-second day of January, One thousand eight hundred and
ninety-four.

(1.8.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

STROUD JOINT HOSPITAL DISTRICT.

Stroud;
Order.

*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

To the Bisley Local Board, being the Sanitary Authority for the Urban Sanitary District of Bisley, in the County of Gloucester :—

To the Stroud Local Board, being the Sanitary Authority for the Urban Sanitary District of Stroud, in the said County ; —

To the Guardians of the Poor of the Stroud Union, in the said County,
being the Sanitary Authority for the Rural Sanitary District of that
30 Union :—

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of Schedules A. and B. to this Order (herein-after respectively referred to as "Schedule A." and "Schedule B." and jointly as "the Schedules,") are the

35 Local Authorities within the meaning of the Public Health Act, 1875 (herein-after referred to as "the Act"), for the several Urban Sanitary Districts and the Rural Sanitary District named in column 1 of the Schedules :

38 & 39 Vict.
c. 55.

A.D. 1894.

*Stroud
Order.*

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf do hereby Order as follows ; viz.,—

Art. I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as “the appointed 5 day”).

Art. II. The Urban Sanitary Districts named in column 1 of Schedule A. and the Rural Sanitary District named in column 1 of Schedule B. (all of which Districts are herein-after referred to as “the Constituent Districts”) shall be formed into a United District, to be called the Stroud Joint Hospital 10 District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases.

Art. III. The Joint Board, which shall be the governing body of the said United District, shall consist of three ex-officio and nine elective members, and 15 shall be called the Stroud Joint Hospital Board (herein-after referred to as “the Joint Board”).

Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedules, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the Schedules (herein-after 20 referred to as “the Constituent Authorities”).

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the Schedules, and the said members shall be chosen by the members of each of the Constituent Authorities from among 25 the members of its own body.

38 & 39 Vict.
c. 55.
48 & 49 Vict.
c. 53.

Art. VI. The provisions of Rules 5 and 64 of Schedule II. to the Act, and of Section 4 of the Public Health (Members and Officers) Act, 1885, shall, mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board shall take place 30 at a meeting of each of the Constituent Authorities, to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of each Constituent Authority by the clerk to such Authority.

35

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until 40 the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

45

A.D. 1894.

*Stroud
Order.*

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent
5 Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in
10 whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of each Constituent Authority by the clerk to such Authority, and such clerk shall
15 forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

Art. XI. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint
20 Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum:

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

25 Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier
30 time as the Joint Board may from time to time direct.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding one year, as may be
35 determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration
40 as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the
45 reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

A.D. 1894.

*Stroud
Order.*

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities ; viz.,—

- a. By an order of the Joint Board or of any of the Constituent Authorities ;
- b. By an order of a Medical Officer of Health of any of the Constituent Authorities ;
- c. By an order of a Medical Officer appointed by the Joint Board ;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section :

Provided that if the Guardians of the Poor of the Stroud Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable ; viz.,—

Of the Act :—

Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.

Sections 173 and 174 (except sub-section 3), relating to contracts.

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to officers and conduct of business of Local Authorities.

Sections 245, 247, (as amended by the District Auditors Act, 1879,) 249, and 250, relating to audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 298 as to costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

Of the Public Health (Officers) Act, 1884 :—

Section 2.

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

Art. XVI. The Joint Board shall, for the purpose of the sections of the Act, with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as any powers are so conferred and as any duties are so imposed ; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

A.D. 1894.

*Stroud
Order.*

Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or pre-judicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of
5 their District.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from
10 the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

(2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts
15 respectively in proportion to the amounts which, at the time of issuing the precepts of the Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate in the nature of a general district rate in the said Urban Sanitary Districts, and by a rate to defray special expenses in the said Rural Sanitary District at an equal rate in the
20 pound; and the contributions of the said Rural Sanitary Authority towards such common fund shall be deemed to be “special expenses” within the meaning of the Act, and shall be raised accordingly.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authority from whose District the patients have been received into
25 the hospital, shall be ascertained as follows; viz.,—

(a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, except so far as the same shall be included in the salary of the medical officer or medical officers, and in and about the clothing, conveyance to and from the hospital,
30 burials, and funerals of patients; and shall also include the remuneration and rations of nurses.

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the
40 hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,

(a) the name of each patient,

(b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year
45 each patient has remained in the hospital, and

(c) the amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority.

[1.]

C

A.D. 1894.

*Stroud
Order.*

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities 5 towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund.

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of any of the Constituent 10 Authorities, or by any officer of any of the Constituent Authorities authorised by them for that purpose, without payment.

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities. 15

Art. XXIII. If at any time any new Urban District is formed including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a Municipal Borough, then and in every such case the Local Government Board may, by Order, to be published 20 as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on 25 the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for. 30

Art. XXV. This Order may be cited as the Stroud Joint Hospital Order, 1894.

The SCHEDULES above referred to.

A.D. 1894.

SCHEDULE A.

*Stroud
Order.*

URBAN SANITARY DISTRICTS.

5	1.	2.	3.		4.
	Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
			Number.	Description.	Number.
10	The Local Government District of Bisley.	The Bisley Local Board -	1	The Chairman of the Local Board.	1
	The Local Government District of Stroud.	The Stroud Local Board -	1	ditto - -	4

SCHEDULE B.

RURAL SANITARY DISTRICT.

15	1.	2.	3.		4.
	Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
			Number.	Description.	Number.
20	The Rural Sanitary District of the Stroud Union.	The Guardians of the Poor of the Stroud Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also one of the ex-officio members mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	4
25					

30 Given under the Seal of Office of the Local Government Board, this
Twenty-fourth day of January, One thousand eight hundred and
ninety-four.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders.

A

B I L L

To confirm certain Provisional Orders of
the Local Government Board relating
to the Liversedge and Mirfield and
the Stroud Joint Hospital Districts.

(Prepared and brought in by
Sir Walter Foster and Mr. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
13 March 1894.

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[Bill 1.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Accrington, Ashton-under-Lyne, Berwick-upon-Tweed, Bolton, Hexham, Knaresborough and Tentergate, Llandilo, Merthyr Tydfil, Penrith, Southport, Wallasey, Widnes, and Workington. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

10 1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 2) Act, 1894. Short title.

A.D. 1894.

*Accrington,
&c. Order.*SCHEDULE.*Provisional Order for partially repealing certain
Confirming Acts.*

To the Sanitary Authorities for the several Urban Sanitary Districts of
Accrington, Berwick-upon-Tweed, Hexham, Knaresborough and 5
Tentergate, Llandilo, Merthyr Tydfil, Penrith, Southport, and
Workington ; —

And to all others whom it may concern.

WHEREAS by the Provisional Orders the dates whereof are set out in column 3
of Schedule A. to this Order (herein-after referred to as "Schedule A."), the 10
several Sanitary Authorities named in column 1 of Schedule A., or their
predecessors, were empowered to borrow, for the execution of permanent works
in their respective Districts, sums not exceeding in the whole two years
assessable value of the premises assessable under the Local Government Act,
1858, within their respective Districts ; 15

And whereas by the Provisional Order the date whereof is set out in column 3 of
Schedule B. to this Order (herein-after referred to as "Schedule B."), the
Sanitary Authority named in column 1 of Schedule B. was empowered to borrow,
for the execution of permanent works in their District, sums not exceeding in
the whole one year and a quarter's assessable value of the premises assessable 20
under the Local Government Act, 1858, within their District ;

And whereas by the Provisional Orders the dates whereof are set out in
column 3 of Schedule C. to this Order (herein-after referred to as "Schedule C."),
the several Sanitary Authorities named in column 1 of Schedule C., or their
predecessors, were empowered to borrow, for the execution of permanent works 25
in their respective Districts, sums not exceeding in the whole the sums mentioned
in column 5 of Schedule C. ;

And whereas the said Provisional Orders were respectively confirmed by the
Acts mentioned in column 4 of Schedules A., B., and C., and it is expedient that
those Acts, so far as they respectively relate to the said Provisional Orders, 30
should be repealed, except so far as the same may have been acted upon :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 297 of the Public Health Act, 1875, and by any
other Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, so much of each of the Acts mentioned in 35
column 4 of Schedules A., B., and C. as confirms any of the Provisional Orders for

the extension of borrowing powers mentioned in column 3 of those Schedules shall, except so far as the same may have been acted upon, be repealed, so that the said Orders shall, except as aforesaid, cease to have any effect :

A.D. 1894.

*Accrington,
&c. Order*

Provided that nothing herein contained shall be deemed to alter or affect the
5 repayment of any money borrowed in pursuance of the said Orders.

The SCHEDULES above referred to.

SCHEDULE A.

1.	2.	3.	4.
Name of Sanitary Authority.	Name of District.	Date of Order.	Title of Confirming Act.
10 The Mayor, Aldermen, and Burgesses of the Borough of Accrington, acting by the Council.	Borough of Accrington.	11th May, 1867 -	The Local Government Supplemental Act, 1867 (No. 2) (30 & 31 Vict. c. lxxv.).
15 The Llandilo Local Board	Local Government District of Llandilo.	15th July, 1861 -	The Local Government Supplemental Act, 1861 (No. 2) (24 & 25 Vict. c. cxxxviii.).
20 The Merthyr Tydfil Local Board of Health.	Local Government District of Merthyr Tydfil.	6th July, 1870 -	The Local Government Supplemental Act, 1871 (34 Vict. c. i.).
25 The Mayor, Aldermen, and Burgesses of the Borough of Southport, acting by the Council.	Borough of Southport	23rd June, 1869 -	The Local Government Supplemental Act, 1869 (No. 2) (32 & 33 Vict. c. cl.).
The Mayor, Aldermen, and Burgesses of the Borough of Workington, acting by the Council.	Borough of Workington.	21st December, 1867	The Local Government Supplemental Act, 1868 (31 Vict. c. x.).

30

SCHEDULE B.

1.	2.	3.	4.
Name of Sanitary Authority.	Name of District.	Date of Order.	Title of Confirming Act.
35 The Penrith Local Board of Health.	Local Government District of Penrith.	18th April, 1860 -	The Local Government Supplemental Act, 1860 (23 & 24 Vict. c. xlv.).

A.D. 1894.

SCHEDULE C.

*Accrington,
&c. Order.*

1.	2.	3.	4.	5.	
Name of Sanitary Authority.	Name of District.	Date of Order.	Title of Confirming Act.	Amount authorised to be borrowed.	5
The Mayor, Aldermen, and Burgesses of the Borough of Berwick-upon-Tweed, acting by the Council.	Borough of Berwick-upon-Tweed.	21st March, 1863 -	The Local Government Supplemental Act, 1863 (26 & 27 Vict. c. xxxii.).	£ 22,500	10
The Hexham Local Board of Health.	Local Government District of Hexham.	30th May, 1868 -	The Local Government Act, 1868 (No. 6) (31 & 32 Vict. c. cliii.).	5,450	15
The Knaresborough and Tentergate Improvement Commissioners.	Improvement Act District of Knaresborough and Tentergate.	29th April, 1872 -	The Local Government Board's Provisional Orders Confirmation Act, 1872 (35 & 36 Vict. c. xcii.).	12,000	20
The Mayor, Aldermen, and Burgesses of the Borough of Workington, acting by the Council.	Borough of Workington.	11th May, 1865 -	The Local Government Supplemental Act, 1865 (No. 5) (28 & 29 Vict. c. cviii.).	20,740	25
					30

Given under the Seal of Office of the Local Government Board, this
Fifteenth day of February, One thousand eight hundred and
ninety-four.

(i.s.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

35

*Ashton-
under-Lyne
Order.*

BOROUGH OF ASHTON-UNDER-LYNE.

Provisional Order for partially repealing a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Ashton-under-Lyne, being the Urban Sanitary Authority for that Borough; —

And to all others whom it may concern.

40

WHEREAS the Borough of Ashton-under-Lyne is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the

Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority ;

A.D. 1894.

Ashton-under-Lyne Order.

And whereas by Article I. of a Provisional Order of one of Her Majesty's Principal Secretaries of State, dated the Twenty-third day of June, One thousand
5 eight hundred and sixty-nine, and duly confirmed by the Local Government Supplemental Act, 1869 (No. 2) (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), it was ordered that the sections of the Public Health Act, 1848, the Local Government Act, 1858, and the Local Government Act (1858) Amendment Act, 1861, which were
10 enumerated in the Schedule to the Order should, except as therein provided, be no longer in force in the Borough ;

32 & 33 Vict.
c. cl.

11 & 12 Vict.
c. 63.

21 & 22 Vict.
c. 98.

24 & 25 Vict.
c. 61.

And whereas by Article II. of the Order it was ordered that the Corporation should have power to borrow on mortgage of the rates or securities mentioned in the Local Acts recited in the Order, or some or one of them, for the execution
15 of certain permanent works designed or to be executed by them for the completion of their existing waterworks, for public baths, and for works in connexion with the scavenging of the said Borough, such sums (not exceeding two years' assessable value of the premises assessable under the said Local Acts) as they might from time to time be authorised to borrow with the sanction of the Secretary of State,
20 and it was provided that such moneys should be repaid, with interest thereon, by equal annual instalments of principal and interest, or by a sinking fund in the manner provided by the Local Government Act, 1858, within a period of fifty years from the date of the borrowing thereof :

Now therefore, We, the Local Government Board, in pursuance of the powers
25 given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

38 & 39 Vict.
c. 55.

Art. I. So much of the Confirming Act as relates to Articles I. and II. of the
30 Order shall be repealed, except so far as it may have been acted upon, so that those Articles shall, except as aforesaid, cease to have any effect :

Provided that nothing herein contained shall be deemed to alter or affect the repayment of any money borrowed in pursuance of the Order.

Art. II. This Order may be cited as the Ashton-under-Lyne Order, 1894.

35 Given under the Seal of Office of the Local Government Board, this Thirtieth day of January, One thousand eight hundred and ninety four.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

A.D. 1894.

BOROUGH OF BOLTON.

*Bolton
Order.*

Provisional Order for partially repealing a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Bolton, being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

5

WHEREAS the Borough of Bolton (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority ;

34 Vict. c. i.

And whereas by a Provisional Order of one of Her Majesty’s Principal Secretaries of State, dated the Twenty-fourth day of June, One thousand eight hundred and seventy, and duly confirmed by the Local Government Supplemental Act, 1871 (which Order and Act are herein-after respectively referred to as “the Order” and “the Confirming Act”), it was ordered that the Corporation, acting as the Local Board of Health for the Borough, should have power to borrow, for the execution of certain permanent works within their District, such sums as they might from time to time be authorised by the sanction of the Secretary of State to borrow, up to an amount which when added to the amounts of the loans already sanctioned should not exceed in the whole two years’ assessable value of the premises assessable under the Local Government Act, 1858, within the Borough ;

10

15

20

And whereas one of Her Majesty’s Principal Secretaries of State, by an Instrument dated the Fourteenth day of July, One thousand eight hundred and seventy-one, and made in pursuance of the Local Government Act, 1858, and the Confirming Act, sanctioned the borrowing by the Corporation of the sum of one hundred thousand pounds, and the Corporation have borrowed the whole of that sum ;

25

40 & 41 Vict.
c. clxxxviii.

And whereas the Local Government Board, by an Instrument dated the Twelfth day of May, One thousand eight hundred and eighty-one, and made in pursuance of the Confirming Act, the Public Health Act, 1875, and the Bolton Improvement Act, 1877, sanctioned the borrowing by the Corporation of the sum of six thousand pounds, and the Corporation have borrowed the whole of that sum ;

30

And whereas the Local Government Board, by another Instrument also dated the Twelfth day of May, One thousand eight hundred and eighty-one, and made in pursuance of the Confirming Act, the Public Health Act, 1875, and the Bolton Improvement Act, 1877, sanctioned the borrowing by the Corporation of the sum of one hundred and fifty-eight thousand pounds for certain works of street improvement, and the Corporation have only borrowed thereunder the sum of one hundred and eighteen thousand one hundred and twenty-seven pounds, leaving an unexhausted borrowing power under the said sanction of thirty-nine thousand eight hundred and seventy-three pounds :

35

40

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other

Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect; viz.,—

A.D. 1894.

*Bolton
Order.*

Art. I. So much of the Confirming Act as relates to the Order shall be repealed, except so far as it may have been acted upon, and except so far as it may be
5 necessary to continue the same so as to enable the Corporation to borrow the said sum of thirty-nine thousand eight hundred and seventy-three pounds, and also to exercise any power now vested in them of re-borrowing moneys raised under the Order, so that the Order shall, except as aforesaid, cease to have any effect:

10 Provided that nothing herein contained shall be deemed to alter or affect the repayment of any money borrowed under the Order or to be borrowed in pursuance of the last-mentioned sanction.

Art. II. This Order may be cited as the Bolton Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of January, One thousand eight hundred and ninety-
four.

15

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF WALLASEY.

*Wallasey
Order.*

Provisional Order for partially repealing a Confirming Act.

20 To the Wallasey Local Board, being the Sanitary Authority for the Urban Sanitary District of Wallasey, in the County of Chester;—

And to all others whom it may concern.

WHEREAS the Local Government District of Wallasey, in the County of Chester (herein-after referred to as "the District"), is an Urban Sanitary
25 District, of which the Wallasey Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

And whereas by Article 6 of a Provisional Order of one of Her Majesty's Principal Secretaries of State, dated the Ninth day of May, One thousand eight hundred and seventy, and duly confirmed by the Local Government Supplemental
30 Act, 1870, (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act,") it was (inter alia) ordered that the Local Board should be authorised from time to time to borrow for permanent works to the amount of twice the assessable value of the premises assessable under the Local Government Act, 1858, in the District; and it was provided
35 that all sums so borrowed should be borrowed with the sanction of one of Her Majesty's Principal Secretaries of State, and should be repaid, with interest thereon, within a period of fifty years from the borrowing thereof:

33 & 34 Vict.
c. cxiv.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other

38 & 39 Vict.
c. 55.

A.D. 1894. Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ;
Wallasey Order. viz.,—

Art. I. So much of the Confirming Act as relates to the above-recited provisions of Article 6 of the Order shall be repealed, except so far as it may have been acted upon, so that the said part of the Order shall, except as aforesaid, cease to have any effect : 5

Provided that nothing herein contained shall be deemed to alter or affect the repayment of any money borrowed in pursuance of the said Article.

Art. II. This Order may be cited as the Wallasey Order, 1894. 10

Given under the Seal of Office of the Local Government Board, this
Twenty-second day of January, One thousand eight hundred and
ninety-four.

(L.S.)

HENRY H. FOWLEE, President.
HUGH OWEN, Secretary.

15

*Widnes
Order.*

BOROUGH OF WIDNES.

Provisional Order for partially repealing a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Widnes, being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern. 20

WHEREAS the Borough of Widnes (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority ;

34 & 35 Vict.
c. clxxxvii.

And whereas, by a Provisional Order of one of Her Majesty’s Principal Secretaries of State dated the Thirtieth day of May, One thousand eight hundred and seventy-one, and duly confirmed by the Local Government Supplemental Act, 1871 (No. 4) (which Order and Act are herein-after respectively referred to as “the Order” and “the Confirming Act”), it was ordered that the Local Board for the District of Widnes (who were the predecessors of the Corporation) should have power to borrow and re-borrow, for permanent works for their District, on mortgage of the rates leviable by the said Local Board under the Public Health Act, 1848, the Local Government Act, 1858, and the Widnes Improvement Act, 1867, or some or one of them, the sums of money then authorised or sanctioned, and such further sums as they might from time to time be authorised by the sanction of the Secretary of State to borrow, up to an amount which when added to the amounts of the loans already authorised or sanctioned should not exceed in the whole two years’ assessable value of the premises assessable under the said Acts, or some or one of them, in respect of 25 30 35

such works within the said District; and it was provided that the whole of such sums should be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof : A.D. 1894.

*Witness
Order.*

- 5 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, so much of the Confirming Act as relates to the Order shall be repealed, except so far as it may have been acted upon, so that the Order shall, except as aforesaid, cease to have any effect :
- 10 Provided that nothing herein contained shall be deemed to alter or affect the repayment of any money borrowed in pursuance of the Order.

38 & 39 Vict.
c. 55.

Given under the Seal of Office of the Local Government Board, this
Twenty-seventh day of February, One thousand eight hundred
and ninety-four.

15 (L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 2).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Acerington, Ashton - under - Lyne, Berwick - upon - Tweed, Bolton, Hexham, Knaresborough and Tentergate, Llandilo, Merthyr Tydfil, Penrith, Southport, Wallasey, Widnes, and Workington.

(*Prepared and brought in by
Sir Walter Foster and Mr. Shaw-Lefevre.*)

*Ordered, by The House of Commons, to be Printed,
13 March 1894.*

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[Bill 2.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Urban Sanitary Districts of
Bristol, Dover, Henley-upon-Thames, Idle, Nottingham,
Padiham-and-Hapton, Tunbridge Wells, and Wells
(Somerset).

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament, and that the provisions herein contained
should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
10 and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall,
subject to the provisions of this Act, have full validity and force.

Orders
in schedule
confirmed.

2. The sanitary authorities mentioned in the Orders relating to
15 the Urban Sanitary Districts of Bristol, Henley-upon-Thames, Idle,
Nottingham, Padiham-and-Hapton, Tunbridge Wells, and Wells
(Somerset), hereby confirmed, shall not purchase or acquire, either
compulsorily or by agreement, in any city, borough, or other urban
sanitary district, or in any parish or part of a parish not being
20 within an urban sanitary district, ten or more houses included in
the schedules to those Orders which on the fifteenth day of
December last were occupied either wholly or partially by persons
belonging to the labouring class as tenants or lodgers, or except
with the consent of the Local Government Board ten or more
25 houses which were not so occupied on the said fifteenth day of
December, but have been or shall be subsequently so occupied.

Restriction
of power to
take houses
of labouring
class.

[Bill 122.]

A

A.D. 1894.

Special
provisions
as to Dover.

3. The following provisions shall apply to the sanitary authority for the urban sanitary district of Dover :—

- (1.) The sanitary authority shall not purchase or acquire, either compulsorily or by agreement, in the district ten or more houses included in the schedule to the Order relating to the district hereby confirmed, which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—
 - (a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Local Government Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and
 - (b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.
- (2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.
- (3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

35

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may see fit.
- (4.) Any provisions of any scheme under this section, or any conditions subject to which the Local Government Board may have approved of any scheme, or of any modifications of

any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court. A.D. 1894.

5 (5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act or of the Order hereby confirmed in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the
10 scheme, they shall be liable to a penalty of *five hundred pounds* in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

15 Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme
20 under this section all or any of the powers vested in them under the Public Health Act, 1875, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

25 Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this
30 enactment :

 Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection, subject to such conditions, if any, as they may see fit.

35 (7.) The sanitary authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any witnesses summoned by the inspector holding the inquiry, and
40 a sum to be fixed by that Board, not exceeding *three guineas* a day, for the services of such inspector.

A.D. 1894.

Definition
of labouring
class.

4. For the purposes of sections two and three of this Act the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, 5 other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

5. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 3) Act, 1894.

10

SCHEDULE.

A.D. 1894.

CITY OF BRISTOL.

*Bristol
Order.*

5 *Provisional Order to enable the Urban Sanitary Authority for the
City of Bristol to put in force the Compulsory Clauses of the
Lands Clauses Acts.*

To the Mayor, Aldermen, and Burgesses of the City of Bristol, being the
Urban Sanitary Authority for that City ;—

And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Burgesses of the City of Bristol,
acting by the Council, as the Urban Sanitary Authority for that City (herein-
after referred to as “the Corporation”), require to purchase and take the lands
described in the Schedule hereto for the purpose of widening, altering, and
improving Baldwin Street, in the said City :

15 Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz,—

38 & 39 Vict.
c. 55.

20 Art. I. The Corporation shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Bristol Order, 1894.

A.D. 1894.

The SCHEDULE above referred to.

Bristol
Order.

City of BRISTOL.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	5
Parish of SAINT NICHOLAS.					
1	Dwelling - houses, shops, counting-houses, and warehouses.	James Bigwood, M.P.	- - -	James Bigwood, M.P.	10
1a	Public footway and cellars.	The Corporation, James Bigwood, M.P.	- - -	The Corporation, James Bigwood, M.P.	15
2	Dwelling-house, shop, and warehouse.	James Bigwood, M.P.	- - -	John Hall, James Bigwood, M.P.	20
3	ditto - -	ditto - -	- - -	David Saunders, James Bigwood, M.P.	25
5	Warehouse, cellar, and part of fish market.	Sir Joseph Dodge Weston, M.P., the Corporation.	- - -	Edward Rowland Adams, James Brokenbrow, William Brokenbrow, James Bigwood, M.P.	30
7	Dwelling-houses and counting-houses.	Charles Edward Whiting.	Cyril Edward Lavington.	Cyril Edward Lavington.	35
8	Warehouse and counting-houses.	William Henry Terrill.	Henry Bishop Fuller, C. J. Fuller, Philip Henry Morton, Robert Waudby Kirkus.	Henry Bishop Fuller, C. J. Fuller, Philip Henry Morton, Robert Waudby Kirkus.	30
9	Wine vaults and warehouse.	ditto - -	John Townsend -	John Thomas Thompson.	

Given under the Seal of Office of the Local Government Board, this
Fifteenth day of March, One thousand eight hundred and ninety-
four. 35

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF DOVER.

A.D. 1894.

Dover
Order.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Dover to put in force the Compulsory Clauses of the Lands Clauses Acts.

5 To the Mayor, Aldermen, and Burgesses of the Borough of Dover, being
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Dover, acting by the Council, as the Urban Sanitary Authority for that Borough (herein-after referred to as "the Corporation"), require to purchase and take the lands described in the Schedule hereto for the purpose of widening and improving certain streets in the Borough, called Biggin Street, Worthington's Lane, and Strond Street :

Now therefore, We, the Local Government Board, in pursuance of the powers
 15 given to Us by Section 176 of the Public Health Act, 1875, and by any other
 Statutes in that behalf, do hereby Order that, from and after the date of the
 Act of Parliament confirming this Order, the following provisions shall have
 effect; viz.,—

38 & 39 Vict.
 c. 55.

Art. I. The Corporation shall be empowered to put in force, with reference to
20 the lands described in the Schedule hereto, subject to the continuance of any
existing public rights of highway, and for the purpose aforesaid, the powers of
the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Dover Order, 1894.

A.D. 1894.

*Dover
Order.*

The SCHEDULE above referred to.

Borough of DOVER.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	5
BIGGIN STREET AND WORTHINGTON'S LANE IMPROVEMENT.					
1	House, coach-house, and stables (2a, Priory Street).	James Homersham	- - - -	Mary Ann Cork.	
2	House, shop, and yard (2, Priory Street).	Emma Archer	- - - -	Alfred Slina.	10
3	House, shop, and yard (1, Priory Street).	ditto	- - - -	Francis Putley.	15
4	House, shop, and yard (65, Biggin Street).	George Crowhurst Rubie.	- - - -	Joseph Marchant, Frederick John Tubb.	
5	House, shop, and yard (64, Biggin Street).	Frederick Bosworth Kingsford.	Emily Thomas, Ellen Pond Thomas.	Emily Thomas, Ellen Pond Thomas.	20
6	Shop, warehouse, yard, and premises (63½, Biggin Street).	ditto	- - John Davis	John Davis.	
7	House, shop, and yard (68, Biggin Street).	ditto	- - Edward Henry Mount.	Edward Henry Mount.	25
8	House, shop, and yard (62, Biggin Street).	James Noble	- Herbert William Cave.	Herbert William Cave.	30
9	House, shop, and yard (61, Biggin Street).	The Trustees of Thomas Taylor, viz., John Taylor, Thomas Camp, and Edward Wollaston Knecker.	Walter Hard	Walter Hard.	35
10	House, shop, and yard (60, Biggin Street).	ditto	- - Richard Brissenden	Richard Brissenden.	
11	House, shop, bake-house, and yard (59, Biggin Street).	ditto	- - Susanna Morris.	Susanna Pilcher Morris.	40

A.D. 1894.

Dover
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	12 Yard (Worthington's Lane).	The Trustees of Thomas Taylor, viz.. John Taylor, Thomas Camp, and Edward Wollaston Knocker.	Walter Hard, Richard Brissenden, Susanna Pilcher Morris.	Walter Hard, Richard Brissenden, Susanna Pilcher Morris.
10	13 House and yard (Worthington's Lane).	ditto - - -	- - -	Harriet Potter.
	14 Store (Worthington's Lane).	ditto - - -	Susanna Pilcher Morris.	Susanna Pilcher Morris.
15	15 House, shop, stores, stables, slaughter-house, yard, and premises (58, Biggin Street).	Charles Morgan Wood	- - -	Charles Morgan Wood.
20	16 House, shop, work-shop, yard, and premises (57, Biggin Street).	Thomas Pain -	- - -	Thomas Pain, Walter Pain.
25	17 House, shop, ware-houses, stores, stables, yard, and premises (56, Biggin Street).	George Crowhurst Rubie.	- - -	George Crowhurst Rubie, James Lord Rubie.
30	18 House, shop, and garden (55, Biggin Street).	William Rickard -	- - -	William Rickard.
	19 House, shop, and garden (54, Biggin Street).	Eliza Ann Tucker -	William Barnes. James	William James Barnes.
35	20 House, shop, and garden (53, Biggin Street).	ditto - -	Henry Edwin. Francis	Henry Francis Edwin.
	21 House, shop, and yard (52, Biggin Street).	George Crowhurst Rubie.	- - -	Joseph Rowland.
40	22 House, shop, and yard (51, Biggin Street).	ditto - -	- - -	George Pine.
	23 House, shop, work-shop, and yard (50, Biggin Street).	ditto - -	- - -	Albert Ezra
45	24 House, shop, yard, premises, and slaughter-house (49, Biggin Street).	ditto - -	- - -	Ellen Gillman.
50	25 Garden, greenhouse, and store (back of Biggin Street).	ditto - -	- - -	James Lord Rubie.
55	26 House, shop, work-shop, yard, and premises (48, Biggin Street).	ditto - -	- - -	Benjamin Coveney.

A.D. 1894.

Dover
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
27	House, shop, yard, and premises (47, Biggin Street).	George Crowhurst Rubie.	George Hatton -	George Hatton.	5
28	House, shop, yard, and premises (46 and 45, Biggin Street).	George Hatton -	- - -	ditto.	10
29	House, shop, stables, coach-house, yard, premises, and slaughter-house (44, Biggin Street).	Mary Gray -	Henry Zoller -	Henry Zoller.	15
30	House, shop, and yard (43, Biggin Street).	Archibald Wilson -	William Couch. Henry	William Henry Couch.	
31	House, shop, work-shops, and yard (42, Biggin Street).	ditto - -	- - -	Joseph Richard Geddes.	20
32	House, shop, work-shop, and yard (41, Biggin Street).	William Masters -	- - -	William Masters.	
33	"Saracen's Head" Temperance Hotel, yard, and premises (Biggin Street).	Dover Coffee Tavern Company, Limited.	- - -	Thomas Lefevre.	25
34	"Saracen's Head" Hall (New Street).	ditto - -	- - -	ditto.	30
39	House (back of 43, Biggin Street).	Mary Gray - -	Henry Zoller -	Henry Zoller.	
74	House and yard (31, York Street).	James Thomas Bailey	- - -	Frederick Garroway Streeter.	
75	House and yard (30, York Street).	J C Reakes.	- - -	Charles West.	35
76	House and yard (29, York Street).	ditto - -	- - -	Edward Batchelor.	
77	House, shop, store, and yard (28, York Street).	Edward Longley -	- - -	Edward Longley.	40
78	Workshop (Worthington's Lane).	ditto - -	- - -	Isaac Boorman.	
79	Marine stores, yard, and passage (Worthington's Lane).	William Forrester -	- - -	William Forrester.	45
80	"Olive Branch" public-house, premises, and yard (Worthington's Lane).	Ash & Co. - -	- - -	Sarah Ann Gillis.	50
81	House and yard (36, Queen's Gardens).	Jonathan Risien -	- - -	Martha Kingsmill.	

[57 VICT.] *Local Government Provisional Orders*
(No. 3).

11

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	82 House and yard (35, Queen's Gardens).	Jonathan Risien	- - - -	Hannah Lane.
	83 House and yard (34, Queen's Gardens).	Thomas Pain	- - - -	Henry Perren.
	84 House and yard (33, Queen's Gardens).	ditto - - - -	- - - -	William Henry Makey.
10	85 House and yard (32, Queen's Gardens).	William Forrester	- - - -	Ann Collins.
	86 House and yard (31, Queen's Gardens).	ditto - - - -	- - - -	George Hatton.
15	112 House and yard (3, Queen's Gardens).	George Crowhurst Rubie.	- - - -	William Forrester.
	113 House and yard (4, Queen's Gardens).	ditto - - - -	- - - -	ditto.
	114 House and yard (2, Queen's Gardens).	ditto - - - -	- - - -	ditto.
20	115 House and yard (1, Queen's Gardens).	ditto - - - -	- - - -	William Forrester, John Thomas Farley, the younger.
	116 "Why Not" public-house, yard, and premises (Worthington's Lane).	ditto - - - -	Joseph Barker, Levi Barker.	John Thomas Farley.
25	117 Yard and stores (Worthington's Lane).	ditto - - - -	- - - -	John Hogben.
30	118 Yard and stores (Worthington's Lane).	ditto - - - -	Joseph Barker, Levi Barker.	Charles Becker, Harriet Potter.
35	119 Coachbuilder's yard and premises (Priory Street).	Frederick Bosworth Kingsford.	John Davis -	George Sacre Palmer, John Davis.
	120 The "Red Cow" public-house, stables, coach-house, yard, and premises (Folkestone Road).	Richard Vincent Coleman.	George Henry Mowll.	Walter Daniel Hobday.
40	121			
45	122 Yard (adjoining "Red Cow" Inn).	Richard Vincent Coleman, William Coleman.	ditto - -	Walter Daniel Hobday, George Henry Keates, Charles Turner, Mary Anne King, Charles Fry.
	123 House and yard (4, Red Cow Cottages).	William Coleman	- - - -	George Henry Keates.
	124 House and yard (3, Red Cow Cottages).	ditto - - - -	- - - -	Charles Turner.
50	125 House and yard (2, Red Cow Cottages).	ditto - - - -	- - - -	Mary Anne King.
	126 House, shop, and yard (1, Red Cow Cottages).	ditto - - - -	- - - -	Charles Fry.

A.D. 1894.
Dover
Order.

A.D. 1894.

*Dover
Order.*

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
		STROND STREET IMPROVEMENT.			
147	House, shop, work-shop, stores, and cellar (33, Strond Street).	Dover Harbour Board	William Joseph Simpson.	Albert Knight, William Joseph Simpson, The Belgian Government, William Baker, Frederick Crundall, Francis William Prescott, George Prescott Venner.	5 10
148	House, shop, yard, and premises (34, Strond Street).	ditto - -	Richard Claringbould.	Henry Mutton.	15
149	House, shop, yard, and premises (35, Strond Street).	ditto - -	ditto - -	Thomas Tomalin.	
150 151	House, shop, bakehouse, yard, and premises (36, Strond Street).	ditto - -	Stephen Read Elms	Thomas Flint.	20
152	House, yard, and premises; offices (37 and 38, Strond Street).	ditto - -	Frederick Crundall	Francis William Prescott, Frederick Crundall.	25
153	Stables (Crosswall) -	ditto - -	London, Chatham, and Dover Railway Company.	London, Chatham, and Dover Railway Company.	
154	Coal stores, yard, and premises (Crosswall).	London, Chatham, and Dover Railway Company.	- - -	ditto.	30

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of March, One thousand eight hundred and
ninety-four.

35

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF HENLEY-UPON-THAMES.

A.D. 1894.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Henley-upon-Thames to put in force the Compulsory Clauses of the Lands Clauses Acts.

Henley-upon-Thames Order.

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Henley-upon-Thames, being the Urban Sanitary Authority for that Borough ; —
And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Henley-upon-Thames, acting by the Council, as the Urban Sanitary Authority for that Borough (herein-after referred to as "the Corporation"), require to purchase and take the lands described in the Schedule hereto for the purpose of improving a street, called Greys Road, in the said Borough :

15 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

20 Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, and for the purpose aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Henley-upon-Thames Order, 1894.

The SCHEDULE above referred to.

Borough of HENLEY-UPON-THAMES.

25	No. and Colour on deposited Plans.	Description of Lands.	Owner or reputed Owner.	Occupier.
30	2 (Red).	Messuage, yard, and shop, containing an area of 943 square feet.	Charles Henry Smith	- John Simmonds.

35 Given under the Seal of Office of the Local Government Board, this Fourteenth day of March, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

LOCAL GOVERNMENT DISTRICT OF IDLE.

*Idle
Order.*

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Idle to put in force the Compulsory
Clauses of the Lands Clauses Acts.*

To the Idle Local Board, being the Sanitary Authority for the Urban 5
Sanitary District of Idle, in the County of the West Riding of
Yorkshire ;—

And to all others whom it may concern.

WHEREAS the Idle Local Board, as the Sanitary Authority for the Urban
Sanitary District of Idle, in the County of the West Riding of Yorkshire 10
(herein-after referred to as "the Local Board"), require to purchase and take
the lands described in the Schedule hereto for the disposal of the sewage of part
of their District :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other 15
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz,—

Art. I. The Local Board shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, and for the purpose aforesaid, the 20
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Idle Order, 1894.

The SCHEDULE above referred to.

Township of IDLE, in the Parish of CALVERLEY, in the County of the 25
West Riding of YORKSHIRE.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessee or reputed Lessee and Occupier.	
1	Arable field - - -	Mary Evelyn Maude Cromp- ton-Stansfield, Elizabeth Alexandra Crompton-Stans- field, Consuelo Albinia Crompton-Stansfield.	Thomas Garnett.	30
2	ditto - - -	ditto - - -	ditto.	35
3	Pasture - - -	ditto - - -	ditto.	
4	ditto - - -	ditto - - -	ditto.	
5	Part of the bed of the River Aire.	ditto - - -	ditto.	

Given under the Seal of Office of the Local Government Board, this 40
Fifteenth day of February, One thousand eight hundred and
ninety-four.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

BOROUGH OF NOTTINGHAM.

A.D. 1894.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Nottingham to put in force the Compulsory Clauses of the Lands Clauses Acts. *Nottingham Order.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Urban Sanitary Authority for that Borough;—
And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Nottingham, acting by the Council, as the Urban Sanitary Authority for that
10 Borough (herein-after referred to as "the Corporation"), require to purchase and take the lands described in the Schedule hereto for the purpose of extending Kirkby Street to Wilford Grove, in the Borough :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other
15 Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, and for the purpose aforesaid, the
20 powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Nottingham Order, 1894.

The SCHEDULE above referred to.

Parish of SAINT MARY, in the Borough of NOTTINGHAM.

25	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
30	1	Dwelling-house and yard, No. 84, Kirkby Street.	The Trustees under the Will of Henry Moses Mellor, deceased, viz., John Lowater Lewin and Henry John Moses Mellor.	John Hudson.
35	2	Part of garden and yard attached to dwelling-house, No. 43, Wilford Grove.	ditto - - - - -	Mrs. Mary Lewin.

Given under the Seal of Office of the Local Government Board, this
Fifteenth day of March, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

*Padiham
and Hapton
Order.*LOCAL GOVERNMENT DISTRICT OF PADIHAM AND
HAPTON.*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Padiham and Hapton to put in force the
Compulsory Clauses of the Lands Clauses Acts.* 5To the Padiham and Hapton Local Board, being the Sanitary Authority
for the Urban Sanitary District of Padiham and Hapton, in the County
of Lancaster;—

And to all others whom it may concern.

WHEREAS the Padiham and Hapton Local Board, as the Sanitary Authority 10
for the Urban Sanitary District of Padiham and Hapton, in the County of
Lancaster (herein-after referred to as "the Local Board"), require to purchase
and take the lands described in the Schedule hereto for the purpose of making
a road to the land proposed to be used for the disposal of the sewage of their
District: 1555 & 56 Viet.
c. 55.Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect; viz,— 20Art. I. The Local Board shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, subject to the continuance of any
existing public rights of highway, and for the purpose aforesaid, the powers of
the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them. 25

Art. II. This Order may be cited as the Padiham and Hapton Order, 1894.

The SCHEDULE above referred to.

Township of ALTHAM, in the County of LANCASTER.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	30
14	Occupation road - -	Ann Patton, Mary Ann McDiarmid, William Hal- lam, Sarah Hallam, Clara Haworth, Richard Thomas Roe Walton Hallam, and William Dugdale.	Thomas Threlfall and Joseph Edwin Sherburn.	35
15	Part of field, footpath, and bed of stream.	ditto - - -	Thomas Threlfall.	

Given under the Seal of Office of the Local Government Board, this 40
Twenty-first day of March, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF TUNBRIDGE WELLS.

A.D. 1894.

*Tunbridge
Wells
Order.*

*Provisional Order to enable the Urban Sanitary Authority for the
Borough of Tunbridge Wells to put in force the Compulsory
Clauses of the Lands Clauses Acts.*

5 To the Mayor, Aldermen, and Burgesses of the Borough of Tunbridge
Wells, being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of
Tunbridge Wells, acting by the Council, as the Urban Sanitary Authority for
that Borough (herein-after referred to as “the Corporation”), require to
purchase and take the lands described in the Schedule hereto for the purpose of
extending the works now used for the disposal of the sewage of the said Borough :

15 Now therefore, We, the Local Government Board, in pursuance of the
powers given to Us by Section 176 of the Public Health Act, 1875, and by any
other Statutes in that behalf, do hereby Order that, from and after the date of
the Act of Parliament confirming this Order, the following provisions shall have
effect ; viz,—

20 Art. I. The Corporation shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Tunbridge Wells Order, 1894.

A.D. 1894.
Tunbridge
Wells
Order.

The SCHEDULE above referred to.

Parish of TONBRIDGE, in the County of KENT.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
				5
462	Field, part hops, part arable	The Trustees of the Charity known as John Beane's Charity for the benefit of Protestant Dissenting Ministers at Guildford and Dorking, in the County of Surrey, and of poor inhabitants of Guildford and Dorking and elsewhere in the same County, viz., Francis Rees Carling, Thomas Wilson, Samuel Smith, David Williamson, and George James Jacobs.	Arthur Smith Crundwell.	10
				15
				20
463	Field, arable - - -	ditto - - - -	ditto.	
464	ditto - - -	ditto - - - -	ditto.	
440a	ditto - - -	ditto - - - -	ditto.	
725	ditto - - -	ditto - - - -	ditto.	
726	Wood - - -	ditto - - - -	In hand.	25
747	ditto - - -	ditto - - - -	ditto.	

Given under the Seal of Office of the Local Government Board, this Eighth day of March, One thousand eight hundred and ninety-four.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

30

CITY OF WELLS. A.D. 1894.
*Provisional Order to enable the Urban Sanitary Authority for the
City of Wells to put in force the Compulsory Clauses of the
Lands Clauses Acts.* Wells
Order.

5 To the Mayor, Aldermen, and Citizens of the City of Wells, being the
Urban Sanitary Authority for that City ; —
And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Citizens of the City of Wells, as the
Urban Sanitary Authority for that City (herein-after referred to as “the
Corporation”), require to purchase and take the lands described in the Schedule
hereto for the purpose of widening and improving a street called Wookey Hole
Lane, in the said City :

15 Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the 38 & 39 Viet.
Act of Parliament confirming this Order, the following provisions shall have c. 55.
effect ; viz,—

20 Art. I. The Corporation shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the City of Wells Order, 1894.

The SCHEDULE above referred to.

City of WELLS.

25	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
	Pt. 85	Barrett's Close - -	John Barnard - -	John Trenchard.
	Pt. 111	Garden - - -	ditto - - -	ditto.

30 Given under the Seal of Office of the Local Government Board, this
Twenty-first day of March, One thousand eight hundred and
ninety-four.
(L.S.) G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 3).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bristol, Dover, Henley-upon-Thames, Idle, Nottingham, Padham - and - Hapton, Tunbridge Wells, and Wells (Somerset).

(*Prepared and brought in by
Sir W. Foster and G. Shaw-Lefevre.*)

*Ordered, by the House of Commons, to be Printed,
22 March 1894.*

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[Bill 122.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Urban Sanitary Districts
of Baildon, Burnley, Burton-upon-Trent, Leicester,
Margate, Norwich, and Wigan, and the Port of Cardiff.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
confirmed by Parliament :

5 Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :—

10 1. The Orders set out in the schedule hereinto shall be and the
same are hereby confirmed, and all the provisions thereof shall have
full validity and force. The Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Orders Confirmation (No. 4) Act, 1894.

A.D. 1894.

*Baildon
Order.*

SCHEDULE.

LOCAL GOVERNMENT DISTRICT OF BAILDON.

*Provisional Order for altering the Baildon Local Board Water
Act, 1890.*

To the Baildon Local Board, being the Sanitary Authority for the Urban 5
Sanitary District of Baildon, in the County of the West Riding of
Yorkshire ;—

And to all others whom it may concern.

WHEREAS the Local Government District of Baildon, in the County of the
West Riding of Yorkshire (herein-after referred to as "the District"), is an 10
Urban Sanitary District, of which the Baildon Local Board (herein-after
referred to as "the Local Board") are the Urban Sanitary Authority, and the
Baildon Local Board Water Act, 1890 (herein-after referred to as "the Local
Act"), is in force in the District ;

53 Vict.
c. xvii.

And whereas by Section 22 of the Local Act the Local Board were 15
empowered, independently of any other borrowing power, to borrow (inter alia)
for the construction of the waterworks by that Act authorised, and the
purchase of land therefor, and other the purposes of their water undertaking
incidental thereto, such sums as they should think fit, not exceeding in the
whole the sum of sixteen thousand pounds, and (with the consent of the Local 20
Government Board, and subject to such terms and conditions, as to repayment
or otherwise, as the Local Government Board may prescribe), any further sum or
sums not exceeding in the whole five thousand pounds ;

And whereas it is expedient that the borrowing powers of the Local Board
under the Local Act for waterworks purposes be increased : 25

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 303 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the Act
of Parliament confirming this Order, the following provisions shall have effect ;
viz.,— 30

Art. I. Section 22 of the Local Act shall be altered by the insertion therein
of the words "seventeen thousand pounds" in lieu of the words "five thousand
pounds."

Art. II. This Order may be cited as the Baildon Order, 1894.

Given under the Seal of Office of the Local Government Board, this 35
Twelfth day of March, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF BURNLEY.

A.D. 1894.

*Provisional Order for altering the Burnley Borough Improvement Act, 1883.**Burnley Order.*

5 To the Mayor, Aldermen, and Burgesses of the Borough of Burnley, being the Urban Sanitary Authority for that Borough ; —
And to all others whom it may concern.

WHEREAS the Borough of Burnley (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"),
10 are the Urban Sanitary Authority, and the unrepealed provisions of the Burnley Borough Improvement Act, 1883 (herein-after referred to as "the Act of 1883"), as altered by the Burnley Corporation Act, 1889 (herein-after referred to as "the Act of 1889"), and by certain Provisional Orders duly confirmed by Parliament, which do not affect the subject-matter of this Order, are in force in the
15 Borough ;

46 & 47 Vict.
c. lxxvii.52 & 53 Vict.
c. lv.

And whereas by Section 75 of the Act of 1883 the Corporation were empowered to borrow the sums, and for the purposes, therein mentioned ;

And whereas by sub-section (3) of Section 87 of the Act of 1883 the term statutory security includes (inter alia) any mortgage, bond, debenture, debenture
20 stock, corporation stock, annuity, rentcharge, rent, or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain, including the Corporation ;

And whereas by Section 88 of the Act of 1883 the Corporation were empowered from time to time, by resolution of the Council, to exercise any statutory borrowing
25 power by creation of stock, either redeemable or irredeemable, to be from time to time issued in accordance with the provisions of that Act ;

And whereas by sub-section (4) of Section 93 of the Act of 1883, the Corporation were required from time to time by investment on statutory securities of the sums paid into the loans fund in respect of the several
30 contributions by that section provided for or of proper parts thereof, and by like investment of the interest and annual proceeds arising from those securities, to make and maintain such accumulations as are in the said section referred to ;

And whereas by Section 50 of the Act of 1889 it was enacted that, notwithstanding anything in their former Acts (including the Act of 1883) or that Act
35 contained, the Corporation should not, from and after the passing of the Act of 1889, create or issue any irredeemable stock, or invest any sinking fund created under the former Acts or any of them, or that Act, in any statutory security of the Corporation ;

Now therefore, We, the Local Government Board, in pursuance of the powers
40 given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Act of 1883 shall be altered so as to provide as follows ; that is to say,—

38 & 39 Vict.
c. 55.

Art. I. The Corporation may from time to time, if they think fit, by resolution
45 determine that any sum or sums which the Guardians of the Poor of the Burnley

A.D. 1894.

*Burnley
Order.*

Union or the Burnley School Board (each of which Authorities is herein-after referred to as the "borrowing authority") may be by law authorised to borrow or re-borrow upon the security of any rates or funds, and which the borrowing authority may be desirous of borrowing from the Corporation, shall be lent by the Corporation accordingly.

5

34 & 35 Vict.
c. cliv.

Art. II. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised either by the issue of Burnley Corporation Redeemable Stock according to the provisions of the Act of 1883, as altered by the Act of 1889 and this Order, or by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate; and the provisions of Sections 477, 478, 480, and 481 of the Burnley Borough Improvement Act, 1871, shall apply to all money raised by borrowing on mortgage under this Article:

10

Provided that the amount of debt which shall enable a mortgagee to require the appointment of a receiver under Section 480 of the said Act of 1871 shall be one thousand pounds, and not one-tenth of the amount for the time being due on mortgage under this Order.

15

Art. III. The following provisions shall apply to moneys borrowed or raised for the purpose of loans to a borrowing authority:—

- (1.) The sum shall be lent by the Corporation to a borrowing authority for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same, and with a provision for repayment by equal annual instalments of principal or of principal and interest combined.
- (2.) If any sum payable to the Corporation for principal in respect of any sum lent to a borrowing authority shall not be received within six months of the time appointed for the payment thereof, a like sum shall be set apart out of the borough fund; and if after the application or investment of the sum so set apart, or the payment thereof into the loans fund, as herein-after provided by this Article, the whole or any part thereof shall be received by the Corporation, the sum so received shall be carried to the credit of the borough fund.
- (3.) The following provisions shall apply to moneys borrowed and not raised by the issue of stock:—
 - (a.) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority.
 - (b.) All sums received from any borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed, the balance (if any) being carried to the credit of the borough fund.
 - (c.) All sums received from any borrowing authority for principal, and all sums set apart out of the borough fund under subdivision (2) of this Article, shall be applied towards the repayment of the principal payable in respect of moneys so borrowed, and until so applied shall be invested in statutory securities, the Corporation being at liberty from time to time to vary and transpose such investments. The interest derived from such investments shall be applied in making good any loss or deficiency

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of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise, and if not required for that purpose shall be applied as if the same had been received for interest from a borrowing authority.

A.D. 1894.

Burnley
Order.

5 (4.) The following provisions shall apply to moneys raised by the issue of stock :—

(a.) All sums received from any borrowing authority for interest shall be paid into the loans fund, and shall be applied in paying the dividends on the stock so issued.

10 (b.) All sums received from any borrowing authority for principal, and all sums set apart out of the borough fund in pursuance of subdivision (2) of this Article, shall be paid into the loans fund, and shall be applied in the redemption or purchase and extinction of stock, and until so applied shall be invested in statutory securities, the Corporation being
15 at liberty from time to time to vary and transpose such investments. The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise.

20 (c.) If the sum received as interest from any borrowing authority, or derived from such investments as aforesaid, is more than is required for the purpose to which the same is to be applied as above mentioned, the surplus may be applied in reduction of any contributions payable out of Corporation revenues in respect of dividends on stock.

25 (5.) If any doubt shall arise as to how much of any sum received by the Corporation from any borrowing authority is to be regarded as principal or interest, the question shall be determined by the Local Government Board.

30 (6.) The treasurer of the Borough shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is payable to the Corporation in respect of moneys lent by them to the borrowing authority, and raised otherwise than by the issue of stock, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required
35 by them, showing for the year next preceding the making of such return, the amounts which have been received from the borrowing authority for principal, the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under Article II. of this Order, and the amounts which have been invested, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the investment has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such treasurer shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court, and,
40 notwithstanding the recovery of such penalty, the making of the return

A.D. 1894.

*Burnley
Order.*

shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

- (7.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to apply or invest, as required by paragraph (c) of subdivision (3) of this Article, any sum by that paragraph required to be applied or invested, or have misapplied any of the investments or the produce of the sale thereof, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which such default or misapplication has occurred, shall be applied directly towards repayment of principal, or be invested, and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. IV. Sub-section (3) of Section 87 of the Act of 1883 shall be altered by the insertion of the words "other than the Corporation" in lieu of the words "including the Corporation."

Art. V. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry), shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. VI. This Order may be cited as the Burnley Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-ninth day of March, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

S. B. PROVIS, Assistant Secretary.

*Burton-
upon-Trent
Order.*

BOROUGH OF BURTON-UPON-TRENT.

*Provisional Order for altering the Town of Burton-upon-Trent
Act, 1853, and certain Confirming Acts.*

To the Mayor, Aldermen, and Burgesses of the Borough of Burton-upon-Trent, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Burton-upon-Trent is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Town of Burton-upon-Trent Act, 1853 (herein-after referred to as "the Local Act"), as partially repealed and altered by a Provisional Order dated the Twenty-eighth day of February, One thousand eight hundred and sixty-six, and by the Provisional Orders herein-after mentioned, is in force in the Borough;

And whereas by Section 21 of the Local Act the Towns Improvement Clauses Act, 1847, was incorporated with the Local Act ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Sixth day of April, One thousand eight hundred 5 and sixty-seven, and duly confirmed by the Local Government Supplemental Act, 1867 (No. 2) (which Order and Act are herein-after respectively referred to as "the Order of 1867" and "the Confirming Act of 1867"), section 21 of the Local Act was repealed so far as thereby were incorporated any sections of the Towns Improvement Clauses Act, 1847, except certain sections mentioned in 10 the Schedule to the Order of 1867, including Sections 116, 117, and 118, relating to lodging-houses ;

And whereas by Article 5 of another Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Thirteenth day of June, One thousand eight hundred and sixty-eight, and duly confirmed by the Local 15 Government Act, 1868 (No. 6), (which Order and Act are herein-after respectively referred to as "the Order of 1868" and "the Confirming Act of 1868"), it was ordered that, notwithstanding the prohibition contained in Section 116 of the Towns Improvement Clauses Act, 1847, all houses within the District to which the Local Act applied when actually used as public lodging-houses, should 20 be subject to the provisions of Sections 117 and 118 of the Towns Improvement Clauses Act, 1847, as to the registration, inspection, regulation, and cleansing thereof :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any 25 other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect :—

Art. I. The Local Act and the Confirming Act of 1867, so far as it relates to the Order of 1867, shall be altered so that Sections 116, 117, and 118 of the 30 Towns Improvement Clauses Act, 1847, shall cease to be incorporated with the Local Act.

Art. II. So much of the Confirming Act of 1868 as relates to Article 5 of the Order of 1868 shall be wholly repealed, so that the said Article shall cease to be in force, except so far as the same may have been acted upon.

35 Art. III. This Order may be cited as the Burton-upon-Trent Order, 1894.

Given under the Seal of Office of the Local Government Board,
this Eighth day of January, One thousand eight hundred and
ninety-four.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

A.D. 1894.

PORT OF CARDIFF.

Cardiff
(Port)
*Order.**Provisional Order for partially repealing a Confirming Act.*

To the Mayor, Aldermen, and Burgesses of the Borough of Cardiff, being the Urban Sanitary Authority for that Borough ;—

To the Penarth Local Board, being the Sanitary Authority for the Urban Sanitary District of Penarth, in the County of Glamorgan ;—

To the Guardians of the Poor of the Cardiff Union, in the Counties of Glamorgan and Monmouth, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

10

WHEREAS the Port of Cardiff is a port established for the purposes of the laws relating to the Customs of the United Kingdom ;

45 Vict.
c. xxxiii.

And whereas by a Provisional Order of the Local Government Board dated the Eighth day of April, One thousand eight hundred and eighty-two, and duly confirmed by the Local Government Board's Provisional Orders Confirmation Act, 1882 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Mayor, Aldermen, and Burgesses of the Borough of Cardiff, acting by the Council, were, from and after the Twenty-ninth day of September, One thousand eight hundred and eighty-two, permanently constituted the Port Sanitary Authority for so much of the Port of Cardiff as was therein described :

38 & 39 Vict.
c. 55.
48 & 49 Vict.
c. 35.

And whereas the Local Government Board propose, by order under the Public Health Act, 1875, and the Public Health (Ships, &c.) Act, 1885, to make other provision for permanently constituting a Port Sanitary Authority for part of the said Port of Cardiff, and it is expedient that the Confirming Act, so far as it relates to the Order, should be repealed as herein-after mentioned :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order as follows :—

Art. I. From and after the day on which the first meeting shall be held of the Port Sanitary Authority for the said part of the Port of Cardiff permanently constituted under any Order to be made by the Local Government Board pursuant to the provisions of the Public Health Act, 1875, and the Public Health (Ships, &c.) Act, 1885, so much of the Confirming Act as relates to the Order shall be wholly repealed, except so far as the same may have been acted upon.

Art. II. This Order may be cited as the Port of Cardiff Order, 1894.

Given under the Seal of Office of the Local Government Board, this Sixth day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

40

BOROUGH OF LEICESTER.

A.D. 1894

*Provisional Order for altering the Leicester Corporation
Waterworks Act, 1890.**Leicester
Order.*

5 To the Mayor, Aldermen, and Burgesses of the Borough of Leicester,
being the Urban Sanitary Authority for that Borough; —

And to all others whom it may concern.

WHEREAS the Borough of Leicester (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”),
10 are the Urban Sanitary Authority, and the Leicester Corporation Waterworks Act, 1890 (herein-after referred to as “the Local Act”), is in force in the Borough and within the limits within which the Corporation may supply water; 53 Vict. c. xxxvi.

And whereas by Section 7 of the Local Act the Corporation were empowered to make and maintain (inter alia) the following works; viz.,—

15 A reservoir, called the Swithland Reservoir, in the Parishes of Quorndon Woodhouse, Swithland, Rothley, and Thurecaston;

A line or lines of pipes from the Swithland Reservoir to the existing line of water main belonging to the Corporation at or near the junction of the Glenfield Road with the Anstey Lane, being the work numbered 5 in the
20 said section;

A service reservoir, in a field at New Parks, abutting on its western side on the existing New Parks service reservoir of the Corporation, being the work numbered 6 in the said section;

25 A line or lines of pipes from the intended New Parks service reservoir to the existing water main of the Corporation at the junction of Southgate Street with Castle Street, being the work numbered 7 in the said section;

And whereas by Section 18 of the Local Act the Corporation were empowered from time to time, for the purposes of that Act, to take by agreement and hold, in addition to the lands which they were authorised to take by compulsion, any
30 lands within the limits of the Local Act not exceeding in the whole at one time twenty acres;

And whereas by Section 23 of the Local Act the Corporation were empowered to borrow (inter alia) for the purchase of land for, and the execution of, the works by that Act authorised, any sum or sums not exceeding in the whole two hundred
35 and seventy thousand pounds;

And whereas it is expedient that the Corporation should be empowered to abandon the construction of the works numbered 6 and 7 in Section 7 of the Local Act, and to construct other works in lieu thereof, as herein-after provided:

40 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act 38 & 39 Vict. c. 55.

[148.]

B

A.D. 1894.
Leicester
Order.

of Parliament confirming this Order, the Local Act shall be altered so that the following provisions shall have effect :—

Art. I. The power to construct the works numbered 6 and 7 in Section 7 of the Local Act shall be repealed.

Art. II. The Corporation may construct and maintain in accordance with the plans and sections sealed by the Local Government Board, duplicates whereof are deposited in the Town Hall, Leicester, the following works ; viz.,—

(1.) A service reservoir, to be called the Hall Gates Reservoir, and to be situate upon the lands described in the Schedule hereto, if and when the same shall have been acquired by the Corporation. 10

(2.) A line or lines of pipes to commence at or in the Hall Gates Reservoir, and to terminate in the Parish of Thurstaston by a junction with the line or lines of pipes numbered 5 in Section 7 at or near the Bradgate pumping station of the Corporation.

(3.) A line or lines of pipes to commence in the Parish of Thurstaston by a junction with the line or lines of pipes numbered 5 in Section 7 at the junction of the Glenfield Road with Anstey Lane, and from thence to be continued along Anstey Lane, and along a public footpath passing through lands belonging or reputed to belong to the trustees of the late Earl of Dysart, and to connect in the Parish of the Leicester Abbey Lands and Lordship with the intended duplicate line or lines of pipes next herein-after described at the junction of the Fosse Road with the Ashby de la Zouch main road. 15

(4.) A duplicate line or lines of pipes commencing in the Parish of the Leicester Abbey Lands and Lordship at the termination of the intended line or lines of pipes last herein-before described, and terminating in the existing high service reservoir of the Corporation at Oadby ; 25

and the works authorised by this Article shall be deemed to be in substitution for the works mentioned in Article I. of this Order, and the provisions of the Local Act and the Acts incorporated therewith, and in particular the provisions of Sections 8, 14, and 15 of the Local Act shall, mutatis mutandis, apply to the works authorised by this Article as if they had been originally authorised by the Local Act. 30

Art. III. The construction of the works authorised by this Order shall be deemed to be purposes for which the Corporation may— 35

(1) purchase additional lands, by agreement (but not otherwise), under Section 18 of the Local Act ; and

(2) apply the sum of two hundred and seventy thousand pounds authorised to be borrowed by Section 23 of the Local Act.

Art. IV. The Corporation may, in addition to the sums authorised to be borrowed by the Local Act, and with the sanction of the Local Government Board, borrow, under and subject to the provisions of the Local Act, upon the security of the water revenue and district fund and general district rate of the Borough, or upon any of such securities, either together or separately, such sum or sums, not exceeding in the whole the sum of twenty-four thousand pounds, as may be necessary for the construction of the works by this Order authorised : 40 45

Provided that the moneys so borrowed shall be repaid within such period, not exceeding fifty years, as the Corporation, with the sanction of the Local Government Board, may in each case determine.

A.D. 1894.

—
Leicester
Order.

- Art. V. Where the Local Government Board cause any local inquiry to be held
5 with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation out of such fund or rate as the Local Government Board may direct, and the
10 Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. VI. This Order may be cited as the Leicester Order, 1894.

The SCHEDULE above referred to.

- 15 All that piece of land situate in the Parish of Newtown Linford, in the County of Leicester, containing by estimation five acres or thereabouts, partly abutting on the public highway leading from Cropston to Shepshed, and otherwise surrounded by land belonging or reputed to belong to the trustees of the will of the late Earl of Stamford and Warrington.

- 20 Given under the Seal of Office of the Local Government Board, this Sixth day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF MARGATE.

*Margate
Order.*

- 25 *Provisional Order for altering a Local Act.*

To the Mayor, Aldermen, and Burgesses of the Borough of Margate, being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

- WHEREAS the Borough of Margate (herein-after referred to as "the
30 Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the unrepealed provisions of a Local Act passed in the fifty-third year of the reign of His late Majesty King George the Third, and intituled "An Act for more effectually paving, lighting, watching,
35 " and improving the Town of Margate, in the County of Kent" (herein-after referred to as "the Local Act"), are in force in the Borough ;

53 Geo. III.
c. 82.

A.D. 1894.

*Margate
Order.*

And whereas by Sections 26 to 28 of the Local Act provision was made for more effectually maintaining the fence separating the Hawley Square Pleasure Ground (herein-after referred to as "the pleasure ground"), in the Borough, from the highways surrounding the same, or for erecting a new fence in its stead, and for defraying the expenses thereof ;

5

14 & 15 Vict.
c. 98.

And whereas by a Provisional Order of the General Board of Health dated the Fourth day of July, One thousand eight hundred and fifty-one, and duly confirmed by the Public Health Supplemental Act, 1851 (No. 2), the Local Act, except (inter alia) Sections 26 to 30, was repealed :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, Sections 26 to 28, both inclusive, of the Local Act shall be repealed, and in lieu thereof the following provisions shall take effect :—

10

15

Art. I.—(1.) The Corporation may, upon application made to them by the owners for the time being of the several houses and buildings in Hawley Square, specified in the Schedule hereto (which houses and buildings are herein-after referred to as "the scheduled houses"), at any time or times lay out, plant, ornament, and improve the pleasure ground in such manner as may be specified in the said application ; and may paint and repair or replace and renew the railing or fence enclosing the pleasure ground in such manner as may be specified in such application ; and may do such other acts and things and execute such other works for improving and maintaining the pleasure ground as the majority of the said owners may from time to time specify in any such application as aforesaid.

20

25

(2.) Every application under this Article shall be made in writing by a majority of the owners for the time being of the scheduled houses (all the owners of any one scheduled house, if more than one, to be considered as one only) present at a meeting of such owners held after printed notices signed by five at least of the owners for the time being of the scheduled houses, specifying the time, place, and object of the said meeting, shall have been left or affixed at or upon the scheduled houses at least seven days before such meeting :

30

Provided always, that upon receipt of such application the Corporation may, by resolution under their common seal, authorise the said owners, or any committee appointed at a meeting of owners convened as aforesaid, to carry out, manage, and control the improvements and repairs and other works specified or referred to in such application :

35

Provided also, that if within twenty-eight days of the receipt by the Corporation of any application as aforesaid, purporting to be made by, or in pursuance of a resolution of, a majority of the said owners, no objection shall have been received by the Corporation to the application on the ground that a majority of the said owners did not join therein, or that the formalities required by this Article have not been complied with, the application shall be deemed to have been properly made, and no objection shall thereafter be taken to the application.

40

45

Art. II. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, on the security of the rates herein-after provided for, such sum or sums, not exceeding in the whole the sum of one thousand pounds, as may from time to time be required—

A.D. 1894.

*Margate
Order.*

- 5 (1.) For the purpose of defraying the costs of the Corporation in respect of the preparation, making, and confirmation of this Order, and of the inquiry preliminary thereto, as taxed by the taxing officer of the House of Lords or of the House of Commons ;
- 10 (2.) For the purpose of defraying the cost of any works, matters, or things specified in any such application as aforesaid, and to which in the opinion of the Local Government Board capital is properly applicable.

Art. III. The Corporation shall repay moneys borrowed under this Order within such period, not exceeding twenty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall

15 determine, in accordance with the provisions of sub-sections (4) and (5) of Section 234 of the Public Health Act, 1875, and Sections 236 to 238, both inclusive, of that Act shall apply to all moneys so borrowed.

Art. IV.—(1.) The Corporation shall, in order to provide for the repayment of moneys borrowed under this Order, with the interest thereon, and to

20 provide the moneys required to defray the costs mentioned in subdivision (1) of Article II. of this Order, and to provide the necessary revenue for maintaining the pleasure ground and the fences thereof in good order and condition, make and levy on the occupiers of the scheduled houses such a rate or rates, to be called the Hawley Square Improvement Rate, as may from time to time be

25 necessary, every such rate to be assessed on such occupiers in accordance with the net annual value of the scheduled houses appearing in the last preceding general district rate of the Borough :

Provided that whenever any of the scheduled houses are unoccupied at the date of making any such rate, or become unoccupied before any such rate has

30 been paid, such rate may be recovered from the owner for the time being of such scheduled house.

(2.) Every such rate shall be levied and recovered in the same manner as a private improvement rate made under the authority of the Public Health Act, 1875, and the provisions of Sections 214 and 256 of that Act shall apply

35 accordingly.

Art. V.—(1.) The town clerk shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or to be paid to a sinking fund, in pursuance of the provisions of this Order,

40 and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the town clerk, showing for the year next preceding the making of such return, or for such other period

45 as the Board may prescribe, the amounts which have been paid as instalments, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any invest-

A.D. 1894.

*Margate
Order.*

ment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding 5 twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, 10 that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has 15 been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. VI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by 20 that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation out of such fund or rate as the Local Government Board may direct, and the Local Government Board may certify the amount of the costs so 25 incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. VII. This Order may be cited as the Margate Order, 1894.

The SCHEDULE above referred to.

Houses and Buildings.	Owner.	Occupier.	30
Hawley Square, No. 1	Henry F. Hermitage - - -	The Corporation.	
" 2	ditto - - -	Florence Sprules.	
" 3	ditto - - -	Elizabeth Carpenter.	
" 4	Fanny Beverly - - -	Fanny Beverly.	
" 5	Evan Jones - - -	Edward Johnson Bellerby.	35
" 6	ditto - - -	Stanley Hawkins.	
Wesleyan Chapel -	The Trustees of the Wesleyan Chapel, viz., E. D. Harlow, T. Allen, W. F. Pygott, R. Austin, W. P. Beal, F. Brown, J. Coleman, E. Coleman, G. W. Chapman, J. C. Doughty, J. A. Fasham, G. Hewett, C. Hobday, J. Mettam, G. D. Friend, J. Price, H. J. Rigden, J. Stokes, J. Wales, and W. Tomlin.	—	40
			45

A.D. 1894.

*Margate
Order.*

Houses and Buildings.		Owner.	Occupier.
5	Hawley Square, No. 12	Charles Tolhurst - - -	Thomas H. Smith.
	" 13	F. W. Hincklin - - -	Sarah Thorne.
	" 14	F. Westerton - - -	Unoccupied.
	" 15	The Trustees of the Wesleyan Chapel, viz., E. D. Harlow, T. Allen, W. F. Pygott, R. Austin, W. P. Beal, F. Brown, J. Coleman, E. Coleman, G. W. Chapman, J. C. Doughty, J. A. Fasham, G. Hewett, C. Hobday, J. Mettam, G. D. Friend, J. Price, H. J. Rigden, J. Stokes, J. Wales, and W. Tomlin.	James Bransom.
	" 16	A. Drewe-Mercer - - -	W. B. Sealy.
15	" 19	William Leach Lewis - - -	William Leach Lewis.
	" 20	Thomas Bird - - -	Thomas Bird.
	" 21	James V. Mussared - - -	Louisa A. Stocker.
	" 22	Mary A. M. Whittingham - - -	Mary A. M. Whittingham.
	" 23	John Cadby - - -	John Cadby.
20	" 24	Sophia Lawrence - - -	Sophia Lawrence.
	" 25	Alfred Grainger - - -	Susannah Ulyatt.
	" 26	ditto - - -	Sarah Searle.
	" 27	ditto - - -	John Scargill Lhor.
	" 30	Annie Maria E. Crookshank - - -	Annie Maria E. Crookshank.
25	" 31	William Leach Lewis - - -	William Leach Lewis.
	" 32	George Meadway - - -	Unoccupied.
	" 33	A. Drewe-Mercer - - -	Benjamin Pritchard.
	" 34	M. Hurst - - -	Alfred Bristow.
	" 35	John Duckett - - -	Jabez Henry Scholes.
30	" 36	— Goodwin - - -	Unoccupied.
	" 37	Frances Carroway - - -	Frances Carroway.
	" 38 (and vaults under).	F. W. Hitchin-Kemp - - -	Unoccupied.
35	" 42	Sarah Osborne - - -	Benjamin Brigg.
	" 43	Sarah Laslett - - -	Sarah Laslett.
	" 44	Cecilia Rayner - - -	Emma La Trobe.
	" 45	Elizabeth Beal - - -	William Bentley.
	" 46	Theodore Golder - - -	Theodore Golder.
40	" 47, 48	Andrew Campbell - - -	Unoccupied.
	" 49, 50	H. W. Banks - - -	Eliza Allen.

A.D. 1894.
—
Margate
Order.

Houses and Buildings.	Owner.	Occupier.	
Hawley Square, No. 51	Emma J. Pittock - - -	Thomas Goodyear.	
" 52	Henry F. Hermitage - - -	Henry F. Hermitage.	
" 53	The Trustees of the Church Institute, viz., Anthony Blackburne Cobb, William Leetham, and Thomas Smith Rowe.	The Trustees of the Church Institute, viz., Anthony Blackburne Cobb, William Leetham, and Thomas Smith Rowe.	5

Given under the Seal of Office of the Local Government Board, this
Thirty-first day of March, One thousand eight hundred and
ninety-four.

10

(L.S.) G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Norwich
Order.

CITY OF NORWICH.

Provisional Order for altering the Norwich Corporation
Act, 1889.

15

To the Mayor, Aldermen, and Citizens of the City of Norwich, being the
Urban Sanitary Authority for that City ; —
And to all others whom it may concern.

52 & 53 Vict.
c. clxxxvii.

WHEREAS the City of Norwich is an Urban Sanitary District, of which the
Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to
as "the Corporation"), are the Urban Sanitary Authority, and the Norwich
Corporation Act, 1889 (herein-after referred to as the Local Act), is in force in
the said City ;

20

And whereas by Section 6 of the Local Act the Corporation were empowered
to make and maintain the sewers and other works therein-after described ;

25

And whereas by Section 10 of the Local Act it is enacted that if the works
by that Act authorised are not completed within five years from the passing of
that Act, then on the expiration of that period the powers by that Act granted
for the making thereof, or otherwise in relation thereto, shall cease to be
exercised, except as to such of them or so much thereof respectively as is then
completed ;

30

And whereas it is expedient that the time for the completion of the said works
should be extended :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 303 of the Public Health Act, 1875, and by any other

35

Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect; viz.,—

A.D. 1894.

—
Norwich
Order.

Art. I. Section 10 of the Local Act shall be altered by the insertion therein of the words “nine years” in lieu of the words “five years.”

Art. II. This Order may be cited as the Norwich Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Ninth day of March, One thousand eight hundred and ninety-
four.

10 (L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

BOROUGH OF WIGAN.

Wigan
Order.

Provisional Order for altering a Confirming Act.

15 To the Mayor, Aldermen, and Burgesses of the Borough of Wigan, being
the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Wigan is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority;

20 And whereas the unrepealed provisions of the Wigan Waterworks Act, 1853, the Wigan Waterworks Act, 1860, and the Wigan Improvement Act, 1880 (which Acts are herein-after collectively referred to as “the Local Acts”), and of a Provisional Order (extending the borrowing powers of the Wigan Local Board of Health) dated the Nineteenth day of July, One thousand eight hundred and
25 fifty-nine, and duly confirmed by the Local Government Supplemental Act, 1859 (No. 2), as altered by certain Provisional Orders duly confirmed by Parliament, but which do not affect the subject-matter of this Order, are in force in the said Borough;

16 & 17 Vict.
c. clxvii.
23 & 24 Vict.
c. clxxxvi.
43 & 44 Vict.
c. cxxvii.
22 & 23 Vict.
c. 11.

30 And whereas by the Local Acts and the above-mentioned Provisional Orders the Corporation or their predecessors were empowered to borrow the sum of one hundred and sixty-seven thousand seven hundred and thirty pounds for water-works purposes;

And whereas by Article I. of a Provisional Order of the Local Government Board dated the Twenty-seventh day of April, One thousand eight hundred and
35 ninety-two, and confirmed by the Local Government Board's Provisional Orders

55 & 56 Vict.
c. lxxi.

[148.]

C

A.D. 1894.

*Wigan
Order.*

Confirmation (No. 4) Act, 1892 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Acts and the Confirming Acts, so far as they respectively related to the above-mentioned Provisional Orders, were altered so as to provide that the Corporation might, with the sanction of the Local Government Board, borrow, on the security of the 5 revenue arising from their water undertaking and of the district fund and general district rate of the Borough, or upon either of such securities, such sums as may from time to time be necessary for the purposes of their water undertaking, not exceeding in the whole the sum of twelve thousand pounds, in addition to the said sum of one hundred and sixty-seven thousand seven hundred and thirty 10 pounds ;

And whereas it is expedient that the Corporation should be empowered to borrow further moneys for the purposes of their water undertaking :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other 15 Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.,—

Art. I. The Confirming Act shall be altered by the insertion in Article I. of the Order of the words "twenty-four thousand pounds" in lieu of the words 20 "twelve thousand pounds."

Art. II. This Order may be cited as the Wigan Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of March, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

25

Local Government Provisional Orders (No. 4).

A

B I L L

To confirm certain Provisional Orders of the
Local Government Board relating to the Urban
Sanitary Districts of Baildon, Burnley, Burton-
upon-Trent, Leicester, Margate, Norwich, and
Wigan, and the Port of Cardiff.

*(Prepared and brought in by
Sir Walter Foster and Mr. Shaw-Lefevre)*

*Ordered, by The House of Commons, to be Printed,
9 April 1894.*

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[Price 2½d.]

[Bill 148.]

A
B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bredbury and Romiley, Leyton, Swadlincote, and Wilmslow, and the Rural Sanitary District of the Wharfedale Union.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament, and that the provision herein contained
should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and 10 by the authority of the same, as follows:—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force.

2. The Sanitary Authorities mentioned in the said Orders respectively shall not purchase or acquire, either compulsory or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses included in the schedules to those Orders, which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

[Bill 149.] A

A.D. 1894. — For the purposes of this section the expression “labouring class” includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than 5 domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 5) Act, 1894. 10

SCHEDULE.

LOCAL GOVERNMENT DISTRICT OF BREDBURY AND ROMILEY.

A.D. 1894.

*Bredbury
and Romiley
Order.*

5 *Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Bredbury and Romiley to put in force
the Compulsory Clauses of the Lands Clauses Acts.*

To the Bredbury and Romiley Local Board, being the Sanitary Authority
for the Urban Sanitary District of Bredbury and Romiley, in the
County of Chester ;—

10 And to all others whom it may concern.

WHEREAS the Bredbury and Romiley Local Board, as the Sanitary
Authority for the Urban Sanitary District of Bredbury and Romiley, in the
County of Chester (herein-after referred to as "the Local Board"), require to
purchase and take the lands described in the Schedule hereto for the disposal
15 of the sewage of a portion of their District, and for providing access to such
lands :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of
20 the Act of Parliament confirming this Order, the following provisions shall
have effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of
any existing public rights of highway, and for the purposes aforesaid, the powers
25 of the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Bredbury and Romiley Order, 1894.

A.D. 1894.

The SCHEDULE above referred to.

*Bredbury
and Romiley
Order.*

Township of BREDBURY, in the County of CHESTER.

No. and colour on deposited Plans.	Description of Lands.	Owner or reputed Owner.	Occupiers.
143 Red.	Arable and pasture land and public footpath.	James Holden	John Morten Joule, Lieut.- Col. George Arthur Fernley.

5

Given under the Seal of Office of the Local Government Board, this
Thirty-first day of March, One thousand eight hundred and 10
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

*Leyton
Order.*

LOCAL GOVERNMENT DISTRICT OF LEYTON.

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Leyton to put in force the Compulsory
Clauses of the Lands Clauses Acts.* 15

To the Leyton Local Board, being the Sanitary Authority for the Urban
Sanitary District of Leyton, in the County of Essex ;—

And to all others whom it may concern.

20

WHEREAS the Leyton Local Board, as the Sanitary Authority for the
Urban Sanitary District of Leyton, in the County of Essex (herein-after
referred to as "the Local Board"), require to purchase and take the lands
described in the Schedule hereto for the purpose of widening the streets known
as High Street and Holloway Road, in their District :

25

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

30

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Leyton Order, 1894.

35

The SCHEDULE above referred to.

A.D. 1894.

Leyton
Order.

Parish of Low LEYTON, in the County of ESSEX.

5	Nos. and Colours on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
HIGH STREET IMPROVEMENT.				
10	1 Red.	Two houses and garden -	Anna Keates, Alice Unwin Keates.	George Duncan Devon, Jane Roberts, Edwin Thain.
	2 Blue.	ditto - -	Anna Keates, Ebenezer James Keates.	George Pocock, Thomas Baker.
	3 Light Green.	ditto - -	Anna Keates, Alice Unwin Keates, Emma Keates.	John Frederick Bardsley, William Laver.
15	4 Yellow.	Three houses and garden -	Ellen Gorton - -	Ada Shaw, John Spacey, William James Breeden.
	5 Purple.	Sheds and yard -	Dolton, Bournes, and Dolton, William Collier.	William Collier.
	6 Brown.	House and garden -	Walter Reynolds - -	George Evans.
20	7 Dark Green.	Seven cottages -	Richard Skelton - -	Louisa Reynolds, Mary Ann Page, Joseph Dellow, George Hancock, Samuel George Rutty, Charles Roberts, Lavinia Reed.
HOLLOWAY ROAD IMPROVEMENT.				
30	8 Red.	House and garden -	Thomas Edward Sleigh -	John Axson Pearce.
	9 Blue.	Two houses and garden -	Frederick Moll - -	Elizabeth Wiltshir, Elizabeth Lowen, William Finch.

Given under the Seal of Office of the Local Government Board, this
Thirty-first day of March, One thousand eight hundred and
ninety-four.

35

(l.s.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

LOCAL GOVERNMENT DISTRICT OF SWADLINCOTE.

Swadlincote District Order.

Provisional Order to enable the Sanitary Authority for the Urban Sanitary District of Swadlincote to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Swadlincote District Local Board, being the Sanitary Authority 5
for the Urban Sanitary District of Swadlincote, in the County of
Derby ; —

And to all others whom it may concern.

WHEREAS the Swadlincote District Local Loard, as the Sanitary Authority
for the Urban Sanitary District of Swadlincote, in the County of Derby (herein- 10
after referred to as “the Local Board”), require to purchase and take the lands
described in the Schedule hereto for the disposal of the sewage of their
District :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other 15
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of 20
any existing public rights of highway, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Swadlincote District Order, 1894.

The SCHEDULE above referred to.

25

Township of STANTON and NEWHALL, in the County of DERBY.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
1	Field - - -	Arthur Maurice Blake -	John Lewis Pasteur Barber.
2	Field and bed of stream -	ditto - - -	ditto.
3	ditto - - -	ditto - - -	ditto.
4	ditto - - -	ditto - - -	ditto.
5	ditto - - -	ditto - - -	ditto.

Given under the Seal of Office of the Local Government Board, this 35
Twenty-eighth day of March, One thousand eight hundred and
ninety-four,

(L.S.)

G. SHAW-LEFEVRE, President.
S. B. PROVIS, Assistant Secretary.

RURAL SANITARY DISTRICT OF THE WHARFEDALE UNION. A.D. 1894.

*Wharfedale
Union
Order.*

Provisional Order to enable the Sanitary Authority for the Rural Sanitary District of the Wharfedale Union to put in force the
5 *Compulsory Clauses of the Lands Clauses Acts.*

To the Guardians of the Poor of the Wharfedale Union, in the County of the West Riding of Yorkshire, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

10 WHEREAS the Guardians of the Poor of the Wharfedale Union, in the County of the West Riding of Yorkshire, as the Sanitary Authority for the Rural Sanitary District of that Union (herein-after referred to as "the Rural Authority"), require to purchase and take the land described in the Schedule hereto for the disposal of the sewage of the contributory place of Esholt, in their District :

15 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,— 38 & 39 Vict.
c. 55.

20 Art. I. The Rural Authority shall be empowered to put in force, with reference to the land described in the Schedule hereto, subject to the continuance of any existing public rights of way, and for the purpose aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

25 Art. II. This Order may be cited as the Wharfedale Union Order, 1894.

The SCHEDULE above referred to.

Township of ESHOLT, in the County of the West Riding of YORKSHIRE.

No. on deposited Plans.	Description of Land.	Owners or reputed Owners.	Occupier.
30	1 Part of pasture field, called the "Ing."	Mary Evelyn Maude Crompton-Stansfield, Elizabeth Alexandra Crompton-Stansfield, Consuelo Albinia Crompton-Stansfield.	Richard Ives.
35			

Given under the Seal of Office of the Local Government Board, this
Twenty-eighth day of March, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
S. B. PROVIS, Assistant Secretary.

A.D. 1894.

LOCAL GOVERNMENT DISTRICT OF WILMSLOW.

*Wilmslow
Order.**Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Wilmslow to put in force the Compulsory
Clauses of the Lands Clauses Acts.*To the Wilmslow Local Board, being the Sanitary Authority for the Urban 5
Sanitary District of Wilmslow, in the County of Chester ; —

And to all others whom it may concern.

WHEREAS the Wilmslow Local Board, as the Sanitary Authority for the
Urban Sanitary District of Wilmslow, in the County of Chester (herein-after
referred to as "the Local Board"), require to purchase and take the lands 10
described in the Schedule hereto for the disposal of the sewage of their
District :

38 & 39 Vict.
c. 54.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the 15
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid,
the powers of the Lands Clauses Acts with respect to the purchase and taking of 20
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Wilmslow Order, 1894.

The SCHEDULE above referred to.

Township of POWNALL FEE, in the County of CHESTER.

No. on deposited Plans.	Description of Lands.	Owner or reputed Owner.	Occupier.
1	Meadow field and part of bed of stream.	John Lawrence Lambe	Alexander Gradwell.

25

Given under the Seal of Office of the Local Government Board, this 30
Twenty-eighth day of March, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
S. B. PROVIS, Assistant Secretary.

Local Government Provisional Orders (No. 5).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bredbury and Romley, Leyton, Swadincote, and Wilmslow, and the Rural Sanitary District of the Wharfedale Union.

(*Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre.*)

*Ordered, by The House of Commons, to be Printed,
9 April 1894.*

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[Bill 149.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bristol, Heckmondwike, Southampton, Sowerby Bridge, and Stockport. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

10 1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1894. Short title.

A.D. 1894.

Bristol
Order.
(2.)

SCHEDULE.

CITY OF BRISTOL.

*Provisional Order for partially repealing and altering the Saint
Philip's Bridge (Bristol) Transfer Act, 1875.*

To the Mayor, Aldermen, and Burgesses of the City of Bristol, being the 5
Urban Sanitary Authority for that City ; —
And to all others whom it may concern.

38 & 39 Vict.
c. xxviii.

WHEREAS the City of Bristol (herein-after referred to as "the City") is an
Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting
by the Council (herein-after referred to as "the Corporation"), are the Urban 10
Sanitary Authority ; and the Saint Philip's Bridge (Bristol) Transfer Act, 1875
(herein-after referred to as "the Local Act"), is in force in the City ;

And whereas by virtue of Section 7 of the Local Act the bridge undertaking,
rights, powers (except the power of raising money), authorities, privileges,
easements, and other property and effects of the Saint Philip's Bridge Company 15
(herein-after referred to as "the Company"), subject to and charged with all
the debts, certain quit rents amounting to the sum of twenty-nine pounds, and
liabilities of the Company, became vested in the Corporation as the Urban
Sanitary Authority from the Thirty-first day of July, One thousand eight
hundred and seventy-five ; 20

And whereas by Section 18 of the Local Act the Corporation were required
to pay to the holder of every fifty-pound share in the capital of the Company a
perpetual annuity of three pounds in respect of each such share (the annuities
so created being herein-after referred to as "the annuities"), and the annuities 25
were by Section 20 of the Local Act charged upon the general district fund and
rates, and all rates and tolls leviable by the Corporation as a local board of health
or sanitary authority ;

And whereas by Section 40 of the Local Act it is enacted that the Corporation
may from time to time, by agreement with any annuitant, redeem or purchase
any annuity ; and that when any annuity is so-redeemed or purchased an entry 30
of the redemption or purchase thereof shall be made in the register of annuitants ;
and that thereupon such redeemed or purchased annuity shall be wholly
extinguished ; but it is provided that the Corporation shall not redeem or
purchase any annuity at a higher rate than twenty-five pounds for every one
pound of annuity ; 35

And whereas by Section 41 of the Local Act it is enacted that, in order to
create a sinking fund for the redemption of the annuities, the Corporation shall,
after the expiration of two years from the passing of that Act, every year set
apart and appropriate out of the general district fund and rates, and all tolls

leviable by the Corporation as a local board of health or sanitary authority, a sum equal to one-thirtieth part of the capitalised value at twenty-five years' purchase of such of the annuities as shall not from time to time have been paid off by borrowed money, and shall apply the same from time to time as opportunity shall occur in the redemption of such of the annuities as they may then be able to purchase by agreement ;

A.D. 1894.

—
Bristol
Order.
(2.)

And whereas by Section 42 of the Local Act the Corporation were (inter alia) empowered to purchase by agreement the said quit rents (herein-after referred to as "the quit rents") or any of them ;

10 And whereas by Section 45 of the Local Act the Corporation were empowered, in addition to any then existing mortgage and to any sums they might from time to time borrow under any other powers, to borrow on the securities therein named any further sum or sums not exceeding in the whole the sum of fifty thousand pounds ;

15 And whereas by Section 46 of the Local Act it was enacted that the moneys to be borrowed by the Corporation under the powers of that Act should be applied only for the purposes and in the manner by that Act expressly declared ;

20 And whereas by Section 47 of the Local Act it was enacted that the sums to be expended by the Corporation on capital account should not exceed (inter alia), in connexion with the purchase of the quit rents and the redemption of the annuities, the sum of thirty-eight thousand pounds ;

And whereas by Section 50 of the Local Act provision was made for the formation of a sinking fund for the payment of the money borrowed under that Act ;

And whereas five hundred annuities were originally granted by the Corporation under the Local Act, but of that number twenty-seven have been redeemed or purchased out of the sinking fund created under Section 41 of the Local Act ;

30 And whereas the Corporation have not borrowed any money for the purchase of the quit rents or the redemption of the annuities, and the annual sum paid and payable to the sinking fund created under Section 41 of the Local Act is therefore the sum of one thousand two hundred and fifty pounds ; and the sum of twenty-three thousand two hundred and twenty-nine pounds and seventeen shillings was, on the Thirty-first day of March, One thousand eight hundred and ninety-four, standing to the credit of such sinking fund :

35 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Local Act shall be altered so that the following provisions shall have effect :—

40 Art. I.—(1.) The proviso to Section 40 and the whole of Sections 41, 45, and 51 of the Local Act shall be repealed, except so far as the same may have been acted upon.

45 (2.) Section 47 of the Local Act shall be altered by the omission of the words " In connexion with the purchase of the said quit rents and the redemption of the annuities the sum of thirty-eight thousand pounds."

A.D. 1894.

*Bristol
Order.*
(2.)

(3.) Section 52 of the Local Act shall be altered by the omission therefrom of the words "or intitled."

Art. II. The Corporation may, subject to the provisions of this Order, borrow on the security of the district fund and general district rate of the City such sums not exceeding thirty-eight thousand pounds as they may require—

5

(1) for the purchase of annuities in accordance with Section 40 of the Local Act as hereby altered ;

(2) for the purchase of quit rents in accordance with Section 42 of the Local Act.

Art. III. Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order.

10

Art. IV. The Corporation, in order to provide for the purchase of annuities and quit rents, and for the repayment of any moneys to be borrowed under this Order, shall, out of the district fund or general district rate of the City, annually pay into a sinking fund (herein-after referred to as "the sinking fund") the sum of one thousand two hundred and fifty pounds, and accumulations thereon and on the sum transferred to the sinking fund in pursuance of Article V. of this Order, at compound interest at the rate of three pounds per centum per annum :

15

Provided that, whenever and so long as the yearly income arising from the investment of the sinking fund is equal to the amount of the outstanding quit rents and annuities (if any), and the interest on moneys borrowed under this Order, the Corporation may discontinue the payment to the sinking fund of the said yearly sum and accumulations.

20

Art. V. The Corporation shall forthwith transfer to the sinking fund the said sum of twenty-three thousand two hundred and twenty-nine pounds and seventeen shillings, and any other sum or sums which is, are, or should be standing at the commencement of this Order to the credit of the sinking fund established under Section 41 of the Local Act.

25

Art. VI. The first annual payment into the sinking fund under this Order shall be made on or before the Thirteenth day of May, One thousand eight hundred and ninety-five, and the subsequent annual payments on or before the Thirteenth day of May in each succeeding year.

30

Art. VII.—(1.) Every sum paid to the sinking fund shall, unless applied in the purchase of annuities or quit rents, or in repayment of the loans in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

35

40

(2) The Corporation may at any time apply the whole or any part of the sinking fund in or towards the purchase of annuities or quit rents, or in or towards the discharge of the borrowed money in respect of which the fund is formed.

45

(3.) The income derived from the investment of the sinking fund may be applied towards the annual payment provided for by Article IV. of this Order.

A.D. 1894.

Bristol
Order.
(2.)

(4.) Any expenses connected with the formation, maintenance, investment, management, or otherwise of the sinking fund shall be paid by the Corporation
5 in addition to the payments provided for by this Order.

(5.) The Local Government Board may at any time authorise a reduction in the amount payable in accordance with this Order to the sinking fund, or require an increase of such amount if, having regard to the terms of this Order and the circumstances attending the case, such reduction or increase is desirable.

10 (6.) The Corporation may at any time increase the payments to the sinking fund.

(7.) Any surplus in the sinking fund remaining after the purchase of annuities or quit rents, and the repayment of the moneys borrowed under this Order, shall be applied to such purpose or purposes as the Corporation, with the
15 consent of the Local Government Board, may determine.

Art. VIII. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying-off any moneys borrowed or re-borrowed by virtue of this Order, which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary
20 application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not re-borrow except to the extent to which the sinking fund is insufficient for the purpose of paying off any such
25 moneys, and that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by means of the sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to
30 form the same loan as the money for the repayment of which the re-borrowing has been made.

Art. IX.—(1.) The town clerk shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid
35 as an instalment or to be paid to any sinking fund in pursuance of the provisions of the Local Act or this Order, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration of the town clerk, if so required by them, showing, for
40 the year next preceding the making of such return, or for such other period as the Local Government Board may prescribe, the amounts which have been paid as instalments and the amounts which have been paid to, invested, or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion
45 of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event

A.D. 1894.

*Bristol
Order.*
(2.)

of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court. 5

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court. 10 15

Art. X. This Order may be cited as the Bristol Order (No. 2), 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-fifth day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President. 20
HUGH OWEN, Secretary.

*Heckmond-
wike Order.*

LOCAL GOVERNMENT DISTRICT OF HECKMONDWIKE.

*Provisional Order for partially repealing and altering certain
Local Acts and a Confirming Act.*

To the Heckmondwike Local Board of Health, being the Sanitary Authority 25
for the Urban Sanitary District of Heckmondwike, in the County of the
West Riding of Yorkshire;—

And to all others whom it may concern.

WHEREAS the Local Government District of Heckmondwike, in the County of the West Riding of Yorkshire (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Heckmondwike Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority; 30

19 & 20 Vict.
c. xxxvi.

And whereas by Section 114 of the Dewsbury, Batley, and Heckmondwike Waterworks Act, 1856 (herein-after referred to as "the Act of 1856"), 35
the Local Board were empowered to borrow for the purposes of that Act twenty-three thousand three hundred and thirty-three pounds six shillings and eightpence;

24 Vict.
c. xxxiii.

And whereas by Section 29 of the Dewsbury, Batley, and Heckmondwike Waterworks Amendment Act, 1861 (herein-after referred to as "the Act of 1861"), the Local Board were empowered to borrow for the purposes of that 40

Act, and of the Act of 1856, five thousand pounds, in addition to the moneys authorised to be borrowed by them under the Act of 1856 ;

A.D. 1894.

Heckmond-
wike Order.30 Vict.
c. lxii.

And whereas by Section 10 of the Dewsbury, Batley, and Heckmondwike Waterworks Amendment Act, 1867 (herein-after referred to as "the Act of 1867"), the Local Board were empowered to borrow for the purposes of the Act of 1856, the Act of 1861, and that Act, in addition to the sums authorised to be borrowed by them by the Act of 1856 and the Act of 1861, any sum or sums of money not exceeding nine thousand pounds ;

And whereas by Section 82 of the Batley Corporation Waterworks Act, 1871 (herein-after referred to as the "Act of 1871"), it was provided that any sum which the Local Board might require for the purchase of the share of the Mayor, Aldermen, and Burgesses of the Borough of Batley in the Dewsbury and Heckmondwike waterworks might be raised by the Local Board by mortgage in addition to and in like manner as money authorised to be raised by the Local Board under and for the purposes of the Act of 1856, the Act of 1861, and the Act of 1867 ;

34 & 35 Vict.
c. xl.

And whereas by Section 5 of the Dewsbury and Heckmondwike Waterworks Act, 1876 (herein-after referred to as "the Act of 1876"), the Acts of 1856, 1861, and 1867 were repealed from and after the passing of the Act of 1876, but subject to the provisions of that Act ;

39 & 40 Vict.
c. clxxxv.

And whereas by Section 10 of the Act of 1876 it was (inter alia) enacted that, notwithstanding such repeal, all mortgages and securities made or given by the Local Board under the powers of the Acts of 1856, 1861, and 1867, or for the purposes thereof, should remain good, valid, and effectual against and with reference to the Local Board ;

And whereas by Section 22 of the Act of 1876 it was provided that nothing in that Act contained should be held or construed to repeal, alter, prejudice, or affect the provisions in the eighty-second section of the Act of 1871, or any of the rights, powers, duties, or interests of the Local Board under or by virtue of such provisions ;

And whereas by Section 112 of the Act of 1876 the Local Board were empowered to borrow for the purposes of that Act such sums as they might from time to time think requisite, not exceeding in the whole the sum of forty-five thousand pounds, in addition to any moneys they had borrowed or were authorised to borrow ;

And whereas by Section 129 of the Act of 1876 provision was made for the formation of a sinking fund for the repayment of the moneys borrowed or to be borrowed by the Local Board under the Acts of 1856, 1861, 1867, 1871, and 1876 ;

And whereas after the passing of the Act of 1876 the Local Board, notwithstanding the repeal of the Acts of 1856, 1861, and 1867, borrowed sums amounting to the sum of five thousand eight hundred and sixty-seven pounds, under the powers assumed to have been given to them under those Acts ;

And whereas in a Provisional Order of the Local Government Board dated the Sixteenth day of May, One thousand eight hundred and eighty-two, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1882 (which Order and Act are herein-after respectively referred

45 & 46 Vict.
c. lxiii.

A.D. 1894.

*Heckmond-
wike Order.*

to as "the Order" and "the Confirming Act"), it was recited that the moneys owing on the Sixteenth day of May, One thousand eight hundred and eighty-two, by the Local Board on mortgages purporting to have been made by virtue of the powers given to the Local Board by the Acts of 1856, 1861, and 1867 amounted to the sum of twenty-five thousand two hundred and fifty-five pounds, 5 and that there was at the same date standing to the credit of the sinking fund for the repayment of such moneys sums amounting in the whole to the sum of one thousand two hundred and seventy-four pounds ;

And whereas by Article I. of the Order the Act of 1876 was altered so as to legalise the borrowing of so much of the said sums as had been borrowed 10 under the Acts of 1856 1861, and 1867 after the passing of the Act of 1876, and to render valid the mortgages for the same ;

And whereas by Article II. of the Order it was (inter alia) ordered that the Local Board should repay so much of the said sum of twenty-five thousand two hundred and fifty-five pounds, and of all moneys borrowed under the Act of 15 1871 or the Act of 1876 before the Third day of July, One thousand eight hundred and eighty-two, as should not be repaid out of the sums then standing to the credit of any sinking fund set aside under the Acts of 1856, 1861, 1867, 1871, or 1876, within fifty-four years from the Third day of July, One thousand eight hundred and eighty-two, and all sums to be borrowed under the Act of 20 1871 or the Act of 1876 after the Third day of July, One thousand eight hundred and eighty-two, within fifty-four years from the borrowing thereof ; and that such repayment should be either by equal annual instalments of principal or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as would, according to a reasonable calculation for the time 25 being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed or to be borrowed within the said periods of fifty-four years respectively ;

And whereas it has since been ascertained that the sum of twenty-five thousand two hundred and forty-three pounds fourteen shillings and fourpence 30 was the amount actually owing on the Sixteenth day of May, One thousand eight hundred and eighty-two, under the Acts of 1856, 1861, and 1867, and that the sum of one thousand four hundred and ninety-nine pounds two shillings and eightpence was the amount actually standing at the same date to the credit of the sinking fund for the repayment of the sum of twenty-five thousand two hundred 35 and forty-three pounds fourteen shillings and fourpence, and those sums were the amount owing and the amount standing to the credit of the said sinking fund respectively on the Third day of July, One thousand eight hundred and eighty-two, the date of the Confirming Act ;

And whereas prior to the Third day of July, One thousand eight hundred and 40 eighty-two, the Local Board had fully exercised the powers of borrowing conferred upon them by the Act of 1871, and the sum of nineteen thousand five hundred pounds was then outstanding in respect of the moneys borrowed by the Local Board under that Act ;

And whereas prior to the Third day of July, One thousand eight hundred and 45 eighty-two, the Local Board had borrowed under the Act of 1876 sums amounting in the whole to the sum of twenty-seven thousand three hundred

and fifteen pounds nine shillings and ninepence, the whole of which was on that date outstanding ;

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*Heckmond-
wike Order.*

And whereas the said sums of twenty-five thousand two hundred and forty-three pounds fourteen shillings and fourpence, nineteen thousand five hundred pounds, and twenty-seven thousand three hundred and fifteen pounds nine shillings and ninepence amount together to the sum of seventy-two thousand and fifty-nine pounds four shillings and one penny, and that sum being reduced by the application towards the repayment thereof of the said sum of one thousand four hundred and ninety-nine pounds two shillings and eightpence the Local Board are required by the Order to repay within fifty-four years from the Third day of July, One thousand eight hundred and eighty-two, the sum of seventy thousand five hundred and sixty pounds one shilling and fivepence ;

And whereas since the Third day of July, One thousand eight hundred and eighty-two, the Local Board have purported to borrow under the Act of 1876 the sums set forth in the Schedule hereto, amounting together to the sum of twenty-two thousand two hundred and ten pounds ten shillings and eightpence, making together with the said sum of twenty-seven thousand three hundred and fifteen pounds nine shillings and ninepence the sum of forty-nine thousand five hundred and twenty-six pounds and fivepence, being four thousand five hundred and twenty-six pounds and fivepence in excess of the sum which they were by the Act of 1876 authorised to borrow, and the moneys so borrowed have been raised by mortgages purporting to have been made by virtue of the powers of the Act of 1876 :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Act of 1876 and the Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall take effect :—

38 & 39 Vict.
c. 55.

Art. I. Section 112 of the Act of 1876 shall be altered so that the words "forty-nine thousand five hundred and twenty-six pounds and fivepence" shall be deemed as from the passing thereof to have been substituted for the words "forty-five thousand pounds."

Art. II. So much of the said sum of forty-nine thousand five hundred and twenty-six pounds and fivepence as has been borrowed by the Local Board in excess of the amount authorised to be borrowed under the Act of 1876 shall be deemed to have been legally borrowed under that Act, and such of the mortgages existing at the commencement of this Order for securing that sum as have been executed by the Local Board to secure the repayment of sums in excess of their borrowing powers as aforesaid shall to all intents and purposes be as valid as if those sums had been authorised to be borrowed under the Act of 1876.

Art. III. The Local Board may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of their share of the revenue arising from the water undertaking, and of the district fund and general district rate of the District, or upon any of such securities, either together or separately, such sums, not exceeding in the whole the sum of

A.D. 1894. twenty thousand pounds, as may from time to time be necessary for the purposes
Heckmond- of the Act of 1876, in addition to the said sum of forty-nine thousand five
wike Order. hundred and twenty-six pounds and fivepence.

Art. IV. So much of the Confirming Act as relates to Articles II., III., IV., V., and VI. of the Order shall be repealed, except so far as the same may have 5
 been acted upon.

Art. V. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act, 1875, shall be available to the Local Board, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply 10
 to all moneys raised and borrowed and re-borrowed on mortgage by virtue of this Order.

Art. VI. The Local Board shall repay—

(1.) The outstanding balance of the said sum of seventy thousand five hundred and sixty pounds one shilling and fivepence within a period of forty-three 15
 years from the Third day of July, One thousand eight hundred and ninety-three ;

(2.) The outstanding balances of the several sums specified in the Schedule hereto within a period of fifty-four years from the date set opposite to such sums respectively in column 1 of the said Schedule ; and

(3.) Moneys borrowed by virtue of this Order within such period, not exceeding 20
 sixty years from the date of borrowing, as the Local Board, with the sanction of the Local Government Board, shall determine,

each of which periods is herein-after referred to as “the prescribed period,” and shall be, with reference to the moneys to be repaid therein, the prescribed 25
 period for the purpose of the Local Loans Act, 1875.

Art. VII.—(1.) The Local Board shall repay the moneys mentioned in Article VI. of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of 30
 sinking funds, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VIII. of this Order, any sinking fund established for the repayment of any of the moneys mentioned in Article VI. of this Order shall be formed and maintained either—

(a.) By payment to the fund throughout the prescribed period of such equal 35
 annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

(b.) By payment to the fund throughout the prescribed period of such equal 40
 annual sums as with accumulations at a rate not exceeding three pounds per centum per annum, together with the sums transferred to the fund in pursuance of subdivision (3) of this Article, and the accumulations thereon will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed 45
 is herein-after called an accumulating sinking fund.

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wike Order.*

(3.) Any sum which, at the commencement of this Order, is or should be standing to the credit of any sinking fund for the repayment of any part of the said sum of seventy thousand five hundred and sixty pounds one shilling and fivepence, or of the several sums specified in the Schedule hereto, shall be forth-
5 with carried to the credit of the corresponding sinking fund under this Order.

(4.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time
10 being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

15 (5.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Local Board towards the equal annual payments to the fund.

(6.) The Local Board may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of
20 which the fund is formed : Provided that in the case of an accumulating sinking fund, the Local Board shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are
25 based.

(7.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by
30 the Local Board.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual
35 payments.

(8.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Local Board, in addition to the payments provided for by this Order.

40 Art. VIII.—(1.) If it appears to the Local Board at any time that the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is
45 formed, it shall be the duty of the Local Board to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose : Provided that if it appears to the Local Government Board that any such increase

A.D. 1894. is necessary, the Local Board shall increase the payments to such extent as the Board may direct.

Heckmond-
wike Order.

(2.) If the Local Board desire to accelerate the repayment of any loan they may increase the amounts payable to the sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Local Board may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Local Board may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Local Board, with the consent of the Local Government Board, may determine.

Art. IX. The Local Board shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any of the moneys mentioned in Article VI. of this Order, or any moneys re-borrowed by virtue of this Order, which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Local Board within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow:

Provided that the Local Board shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

Art. X.—(1.) The clerk to the Local Board shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such clerk, showing for the year next preceding the making of such

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wike Order.

return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. XI. All moneys from time to time borrowed by virtue of this Order shall be applied by the Local Board only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Local Board, with the approval of the Local Government Board, determine.

Art. XII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Local Board, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Local Board shall be a debt due to the Crown from the Local Board.

Art. XIII.—(1.) The mortgagees of the Local Board by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms

A.D. 1894. as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.
Heckmond-wike Order. Art. XIV. This Order may be cited as the Heckmondwike Order, 1894.

The SCHEDULE above referred to.

Sums borrowed under the Act of 1876 since the 3rd July, 1882.

5

1.				2.		
Date.				Amount.		
				£	s.	d.
25th March, 1883	-	-	-	10,450	0	0
" 1885	-	-	-	2,738	18	9
" 1888	-	-	-	348	4	2
" 1889	-	-	-	1,668	16	0
" 1890	-	-	-	2,869	14	0
" 1891	-	-	-	2,750	16	6
" 1893	-	-	-	1,384	1	3
Total	-	-	-	£22,210	10	8

Given under the Seal of Office of the Local Government Board, this Tenth day of April, One thousand eight hundred and ninety-four.
(L.S.) G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

20

Southampton
Order.

BOROUGH OF SOUTHAMPTON.

Provisional Order for altering the Southampton Corporation Act, 1885, and a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Southampton, being the Urban Sanitary Authority for that Borough ; — 25
And to all others whom it may concern.

48 & 49 Vict.
c. clxxx.

WHEREAS the Borough of Southampton (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Southampton Corporation Act, 1885 (herein-after referred to as "the Local Act"), as altered by a Provisional Order 35

of the Local Government Board dated the Twenty-third day of May, One thousand eight hundred and eighty-nine, and duly confirmed by Parliament, and by the Provisional Order herein-after recited, is in force in the Borough ;

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—
*Southampton
Order.*

And whereas by Section 10 of the Local Act the Corporation were empowered
5 to make (inter alia) certain works in connexion with their water undertaking ;

And whereas by Section 27 of the Local Act the Corporation were empowered (in addition to any other moneys which they were authorised to borrow) to borrow (inter alia) for the purposes of their water undertaking, sixty thousand pounds ;

10 And whereas by sub-section (3) of Section 38 of the Local Act the term statutory security for the purposes of Part IV. of that Act includes any mortgage, bond, debenture, debenture stock, corporation stock, annuity, rentcharge, rent, or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain, including the
15 Corporation ;

And whereas by Section 39 of the Local Act the Corporation were empowered to exercise any statutory borrowing power by the creation of stock, either redeemable or irredeemable, to be from time to time issued in accordance with the provisions of that Act ;

20 And whereas by Article II. of a Provisional Order of the Local Government Board dated the Twelfth day of May, One thousand eight hundred and ninety-one, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act, 1891 (which Order and Act are herein-after
25 respectively referred to as "the Order" and "the Confirming Act"), the Corporation were empowered, with the sanction of the Local Government Board, and subject to the provisions of the Order, to borrow on the security of the district fund and general district rate of the Borough, and for the purposes of the water undertaking, such sums as they might from time to time think requisite, not exceeding in the whole the sum of six thousand pounds, in addition
30 to the sum authorised by the Local Act to be borrowed for those purposes ;

54 & 55 Vict.
c. cvii.

And whereas it is expedient that the Corporation should be authorised to borrow further moneys for waterworks purposes, and that the other provisions herein-after contained should be made :

Now therefore, We, the Local Government Board, in pursuance of the powers
35 given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.,—

38 & 39 Vict.
c. 55.

Art. I.—(1.) The Local Act shall be altered so as to provide that the
40 Corporation shall not invest any sinking fund established by them in any security of the Corporation.

(2.) Sub-section (3) of Section 38 of the Local Act shall be altered by the insertion therein of the words "other than the Corporation" in lieu of the words "including the Corporation."

45 Art. II. So much of the Local Act, or of any Act or Provisional Order amending that Act, as confers upon the Corporation the power to create and issue irredeemable stock shall be repealed.

A.D. 1894. Art. III. The Confirming Act shall be altered by the insertion in Article II. of the Order of the words "thirty-nine thousand five hundred pounds" in lieu of the words "six thousand pounds."

Southampton
Order.

Art. IV. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Order or of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. V. This Order may be cited as the Southampton Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Sowerby
Bridge
Order.

LOCAL GOVERNMENT DISTRICT OF SOWERBY BRIDGE.

Provisional Order for altering certain Local Acts and Confirming Acts. 20

To the Sowerby Bridge Local Board of Health, being the Sanitary Authority for the Urban Sanitary District of Sowerby Bridge, in the County of the West Riding of Yorkshire ; —

And to all others whom it may concern. 25

WHEREAS the Local Government District of Sowerby Bridge, in the County of the West Riding of Yorkshire (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Sowerby Bridge Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the unrepealed provisions of the Sowerby Bridge Gas Act, 1861, and of the Sowerby Bridge Local Board Act, 1863 (each of which Acts is herein-after referred to as the Act of the year in which it was passed, and which Acts are together referred to as "the Local Acts"), as altered by the Provisional Orders herein referred to and by another Provisional Order of the Local Government Board dated the Thirteenth day of May, One thousand eight hundred and eighty-two, but which does not affect the subject-matter of this Order, are in force in the District ;

And whereas the Local Board have, under the provisions of the Act of 1861, acquired the gas undertakings of the Sowerby Bridge Gas Company and the Sowerby Bridge Gas Consumers Company, and the Local Board are empowered to manufacture gas, and to light with gas the streets and public buildings within the District, and to supply gas within the limits of the Act of 1861 ;

A.D. 1894.

*Sowerby
Bridge
Order.*

And whereas, having regard to the provisions of Section 46 of the Act of 1861, the Local Board were unable to erect or maintain works for the manufacture of gas in any other place than upon the lands comprised within the limits of the works situate within the Township of Skircoat, and bounded as described in that section;

And whereas by Section 79 of the Act of 1861 the Local Board were empowered to borrow money for gasworks purposes on the security therein mentioned, so that the total moneys borrowed and outstanding at any one time should not exceed forty thousand pounds;

And whereas by Section 9 of the Act of 1863 the Local Board were empowered to borrow at interest on the security therein mentioned such sums as they might think requisite, not exceeding in the whole twenty-two thousand pounds, in addition to the said sum of forty thousand pounds;

And whereas by a Provisional Order of the Local Government Board dated the Fifth day of June, One thousand eight hundred and eighty-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884 (which Order and Act are herein-after respectively referred to as "the Order of 1884" and "the Confirming Act of 1884"), certain sections of the Local Acts were repealed, the Local Board were authorised to borrow, with the sanction of the Local Government Board, the sum of twenty thousand pounds for gas purposes, and provision was made with regard to the mode and period of repayment of moneys borrowed under the Local Acts and the Order of 1884;

And whereas by Article VI. of the Order of 1884 provision was made as to the application of the revenue arising from the gas undertaking;

And whereas by another Provisional Order of the Local Government Board dated the Sixteenth day of May, One thousand eight hundred and eighty-seven, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act, 1887, the Local Board were empowered to maintain the gas works purchased from Messrs. Whitworth and Co., Limited, and to manufacture and store gas upon the lands situate in the Township of Sowerby described in the Schedule to that Order;

And whereas the Local Board, in pursuance of the Public Health Act, 1875, purchased certain land situate at the Holmes, in the District, for the construction thereon of works for the disposal of the sewage of their District, but such land has not been used for that purpose, and it is proposed that the part thereof described in the Schedule hereto should be appropriated for the purposes of the gas undertaking of the Local Board;

And whereas the Local Board for the purpose of defraying the cost of such purchase borrowed the sum of four thousand five hundred pounds, which is being repaid by equal annual instalments of principal within fifty years from the Second day of December, One thousand eight hundred and eighty;

And whereas it is expedient that the Local Board should be empowered to borrow further moneys for gasworks purposes, and to manufacture and store gas on the land described in the Schedule hereto:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of

[194.]

C

A.D. 1894.
—
*Sowerby
Bridge
Order.*

the Act of Parliament confirming this Order, the Local Acts, and the Confirming Act of 1884, so far as it relates to the Order of 1884, shall be altered so as to provide as follows :—

Art. I. The Local Board may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of 5 the revenue arising from their gas undertaking, and of the district fund and general district rate of the District, or upon any of such securities, either together or separately, such sums, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be necessary for the purposes of their gas undertaking, in addition to the sums which they are already authorised 10 to borrow for those purposes.

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Local Board, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order. 15

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period, not exceeding thirty years from the date of borrowing, as the Local Board, with the sanction of the Local Government Board, shall determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the 20 Local Loans Act, 1875.

Art. IV.—(1.) The Local Board shall repay the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, 25 or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order, if the Local Board determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained 30 either—

(a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or 35

(b.) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund. 40

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, 45 stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority as defined by Section 34 of the Local

Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

A.D. 1894.

Sowerby
Bridge
Order.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Local Board towards the equal annual
5 payments to the fund.

(5.) The Local Board may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed : Provided that in the case of an accumulating sinking fund, the Local Board shall pay into the fund each year, and accumulate during
10 the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not
15 equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Local Board.

(b.) If and so often as the income of an accumulating sinking fund is in excess
20 of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment,
25 application, management, or otherwise of any sinking fund under this Order shall be paid by the Local Board, in addition to the payments provided for by this Order.

Art. V.—(1.) If it appears to the Local Board at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the
30 provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Local Board to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that
35 purpose : Provided that if it appears to the Local Government Board that any such increase is necessary, the Local Board shall increase the payments to such extent as the Board may direct.

(2.) If the Local Board desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in
40 accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the
45 Local Board may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

A.D. 1894.

*Sowerby
Bridge
Order.*

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Local Board may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct. 5

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Local Board, with the consent of the Local Government Board, may determine. 10

Art. VI. The Local Board shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order, which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Local Board within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow : 15

Provided that the Local Board shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period. 20 25

Art. VII.—(1.) The clerk to the Local Board shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such clerk, showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, such clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court ; and, notwithstanding the recovery of such 30 35 40 45

penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

A.D. 1894.

*Sowerby
Bridge
Order.*

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment or annual payment
5 required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid, appropriated, or set apart), or have applied
10 any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

15 Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Local Board only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Local Board, with the approval of the Local Government Board, determine.

20 Art. IX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid
25 by the Local Board, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Local Board shall be a debt due to the Crown from the Local Board.

Art. X.—(1.) The mortgagees of the Local Board by virtue of this Order
30 may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the
35 High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. XI. The Local Board may appropriate and use the land described in the Schedule hereto for the purposes of their gas undertaking, and, notwithstanding
40 anything in the Act of 1861 contained, it shall be lawful for the Local Board, on that land to make, maintain, renew, continue, construct, erect, alter, enlarge, or, when necessary, remove buildings, apparatus, and works for the purposes of their gas undertaking, and to make, manufacture, and store in, and upon any such lands gas, coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and other refuse
45 or residual products arising from the manufacture of gas, and any matters producible therefrom.

A.D. 1894.

*Sowerby
Bridge
Order.*

Art. XII. Article VI. of the Order of 1884 shall be altered by the insertion therein in lieu of the paragraph commencing "Thirdly" of the words—

"Thirdly, in payment of the interest on the moneys borrowed or re-borrowed
"for the purposes of their gas undertaking, and in providing the requisite
"instalments, annual repayments, appropriations, or sinking funds in respect 5
"of moneys borrowed for the purposes of their gasworks undertaking; and
"for this purpose a sum of one thousand six hundred and twenty-five
"pounds, part of the amount outstanding in respect of the said sum of four
"thousand five hundred pounds, shall be deemed to have been borrowed
"for the purposes of the gas undertaking of the Local Board on the 10
"Second day of December, One thousand eight hundred and ninety-
"three, and to be repayable by equal annual instalments of principal
"within thirty-seven years from that date."

Art. XIII. This Order may be cited as the Sowerby Bridge Order, 1894.

The SCHEDULE above referred to.

15

All that piece of land situate at a place called the Holmes, in the Township of Norland, in the District, containing by admeasurement five thousand square yards or thereabouts, being part of the land which was conveyed to the Local Board by an indenture dated the First day of December, One thousand eight hundred and eighty, and made between Robert Stansfeld of the one part and the Local Board of the other 20
part, and bounded on the north by the River Calder, on the south by a new road, on the east by the remainder of the land so conveyed to the Local Board, and on the west by land and hereditaments belonging or reputed to belong to Captain Stansfeld.

Given under the Seal of Office of the Local Government Board, this
Thirteenth day of April, One thousand eight hundred and ninety- 25
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

*Stockport
Order.*

BOROUGH OF STOCKPORT.

Provisional Order for altering certain Local Acts.

30

To the Mayor, Aldermen, and Burgesses of the Borough of Stockport, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Stockport (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), 35
are the Urban Sanitary Authority, and the unrepealed provisions of the

following Local Acts (which Local Acts are herein-after together referred to as "the Local Acts"); viz.,—

A.D. 1894.

*Stockport
Order.*

1 Vict. c. cxxi

- 5 An Act passed in the first year of the reign of Her present Majesty Queen Victoria, intituled "An Act for improving and regulating the Borough of
" Stockport, in the several Counties of Chester and Lancaster " (herein-after referred to as "the Act of 1837 ");

- 10 An Act passed in the tenth and eleventh years of the reign of Her present Majesty Queen Victoria, intituled "An Act to purchase and define the
" manorial and market rights of Stockport, to establish public parks, to
" purchase or lease waterworks, to build bridges, and to make other
" communications within the Borough of Stockport " (herein-after referred to as "the Act of 1847 "); and

10 & 11 Vict.
c. cclxxxiv.

The Stockport Amendment Act of 1853 (herein-after referred to as "the Act of 1853 ");

16 Vict.
c. xxvi.

- 15 as altered by the Provisional Order herein-after mentioned, and by a Provisional Order of the Local Government Board dated the Tenth day of June, One thousand eight hundred and eighty-six, and duly confirmed by Parliament, but which does not affect the subject-matter of this Order, are in force in the Borough;

- 20 And whereas by Section 159 of the Act of 1837 the Corporation were empowered to borrow such sum or sums of money as they should judge necessary for the purposes of that Act upon the credit of the rates or assessments to be laid and collected by virtue of that Act;

- 25 And whereas by Section 163 of the Act of 1837 the Corporation were empowered to re-borrow for the purpose of paying off mortgages granted under that Act;

- 30 And whereas by Section 4 of the Act of 1847 the Corporation were empowered to borrow at interest on the security therein mentioned any sum of money which, together with any sum previously borrowed under that Act, should not exceed the sum of seventy thousand pounds;

And whereas by Section 12 of the Act of 1847 the Corporation were empowered to re-borrow for the purpose of paying off and discharging the securities given by them under that Act;

- 35 And whereas by Section 6 of the Act of 1853 further provision was made with regard to the re-borrowing of money for the purpose of paying off and discharging any security or securities then existing or at any time thereafter to be existing;

- 40 And whereas the Local Acts were partially repealed by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Thirtieth day of May, One thousand eight hundred and sixty-four, and confirmed by the Local Government Supplemental Act, 1864 (No. 2);

27 & 28 Vict.
c. 53

And whereas there now remains outstanding in respect of moneys borrowed by the Corporation—

- 45 (a) under the Act of 1837, the sum of one hundred and thirty-nine thousand eight hundred and seventy-five pounds eight shillings and threepence; and
(b) under the Act of 1847, the sum of sixty-nine thousand seven hundred and thirty-seven pounds nineteen shillings;

A.D. 1894.
Stockport
Order.

And whereas it is expedient that provision should be made with respect to the repayment of the said sums of one hundred and thirty-nine thousand eight hundred and seventy-five pounds eight shillings and threepence and sixty-nine thousand seven hundred and thirty-seven pounds nineteen shillings, and that the provisions herein-after contained should be made with reference to the 5 borrowing of moneys for the purposes of the Local Acts :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the 10 commencement of this Order"), the Local Acts shall be altered as follows :—

Art. I. The following provisions of the Local Acts ; viz.,—

Of the Act of 1837 : Sections 159, 160, 162, 163, and so much of Section 166 as relates to the application of borrowed moneys,

Of the Act of 1847 : Sections 4, 5, 8, 9, 10, 11, and 12, and Schedules C. 15 and D.,

Of the Act of 1853 : Sections 2 and 6, and so much of Section 9 as relates to the Act of 1853,

shall be repealed, except so far as the same may have been acted upon, and as it may be necessary to continue the same as regards existing mortgages. 20

Art. II. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow upon the security of rates or assessments to be laid and collected by virtue of the Act of 1837, as altered by the Act of 1853 or any subsequent Act, such sum or sums of money as may be necessary for the purposes of the unrepealed portion of the Act of 25 1837, in addition to the moneys borrowed for those purposes before the commencement of this Order.

Art. III. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238 (both inclusive) of the Public Health Act, 1875, shall 30 apply to all moneys borrowed and re-borrowed on mortgage by virtue of this Order.

Art. IV. The moneys borrowed or to be borrowed by virtue of the Local Acts and this Order shall be repaid within the following periods ; viz.,—

(a.) The said sums of one hundred and thirty-nine thousand eight hundred 35 and seventy-five pounds eight shillings and threepence and sixty-nine thousand seven hundred and thirty-seven pounds nineteen shillings, and any other moneys borrowed under the Local Acts before the commencement of this Order, within the period of sixty years from the commencement of this Order ; 40

(b.) Moneys borrowed under Article II. of this Order within such period, not exceeding fifty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall in each case determine, each of which periods is herein-after referred to as "the prescribed period," and shall be, with reference to the moneys to be repaid therein, the prescribed 45 period for the purposes of the Local Loans Act, 1875.

Art. V.—(1.) The Corporation shall repay the moneys borrowed or to be borrowed by virtue of the Local Acts and this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

A.D. 1894.

—
Stockport
Order.

(2.) Subject to the provisions of Article VI. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed or to be borrowed by virtue of the Local Acts and this Order, such sinking fund shall be formed and maintained either—

- (a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or
- (b.) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.
- (3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed : Provided that, in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same

A.D. 1894.

Stockport
Order.

were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order. 5

Art. VI.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct. 10 15

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve. 20 25

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct. 30

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine. 35

Art. VII. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of the Local Acts or this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow: 40

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, 45

other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period:

A.D. 1894

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Order.

- 5 Provided also, that moneys so re-borrowed shall be secured in the case of moneys borrowed to repay moneys originally borrowed under the Act of 1837 or this Order upon the rates or assessments to be laid and collected by virtue of that Act, as altered by the Act of 1853 or any subsequent Act, and in the case of moneys borrowed to repay moneys originally borrowed under the Act of
10 1847, upon the borough fund and borough rate of the Borough.

- Art. VIII.—(1.) The treasurer of the Borough shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid
15 to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of
20 such treasurer showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the
25 description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such treasurer
30 shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.
- 35 (2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government
40 Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order
45 shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. IX. All moneys hereafter from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the

A.D. 1894. same are respectively authorised to be borrowed, excepting that moneys which
— may have been borrowed in excess of the amount required shall be applied in
Stockport such manner as the Corporation, with the approval of the Local Government
Order. Board, determine.

Art. X. Where the Local Government Board cause any local inquiry to be held 5
with reference to any of the purposes of this Order, the costs incurred by that
Board in relation to such inquiry (including such reasonable sum, not exceeding
three guineas a day, as that Board may determine, for the services of any inspector
or officer of the Board engaged in such inquiry) shall be paid by the Cor-
poration, and the Local Government Board may certify the amount of the costs 10
so incurred, and any sum so certified and directed by that Board to be paid by
the Corporation shall be a debt due to the Crown from the Corporation.

Art. XI.—(1.) The mortgagees of the Corporation by virtue of the Local
Acts and this Order may enforce the payment of arrears of interest or of
principal, or of principal and interest, by the appointment of a receiver. The 15
amount of arrears to authorise the appointment of a receiver shall not be less
than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the
High Court, and the Court, if it thinks fit, may appoint a receiver on such terms
as it thinks fit, and may at any time discharge the receiver and otherwise exercise 20
full jurisdiction over him.

Art. XII. This Order may be cited as the Stockport Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Sixteenth day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

25

Provisional Orders (No. 6).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board
relating to the Urban Sanitary
Districts of Bristol, Heckmondwike,
Southampton, Sowerby Bridge, and
Stockport.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
26 April 1894.

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[Bill 194.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bradford (Yorks) and Saint George, and the Rural Sanitary Districts of the Belper Union, the Bromsgrove Union (two), the Wakefield Union, and the Township of Saddleworth. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Viet.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provisions herein contained should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, subject to the provisions of this Act, have full validity and force. Orders
in schedule
confirmed.

2. The sanitary authorities mentioned in the Orders relating to the Urban Sanitary District of Bradford (Yorks), and the Rural Sanitary Districts of the Belper Union, the Bromsgrove Union, the Wakefield Union, and the Township of Saddleworth hereby confirmed, shall not purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses included in the schedules to those Orders which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or except with the Restriction
of power to
take houses
of labouring
class.

[Bill 195.]

A

A.D. 1894. — consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

Special provisions
as to Saint
George.

3. The following provisions shall apply to the sanitary authority for the Urban Sanitary District of Saint George :—

5

(1.) The sanitary authority shall not purchase or acquire, either compulsorily or by agreement, in the district ten or more houses included in the schedule to the Saint George Order, 1894, which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—

10

(a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Local Government Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and

15

20

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

25

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

30

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

35

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may see fit. A.D. 1894.
—

(4.) Any provisions of any scheme under this section, or any conditions subject to which the Local Government Board may have approved of any scheme, or of any modifications of any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act or of the Saint George Order, 1894, in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme, they shall be liable to a penalty of *five hundred pounds* in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act, 1875, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section shall, for a period of *twenty-five years* from the date of the scheme, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also, that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section, subject to such conditions, if any, as they may see fit.

A.D. 1894. (7.) The sanitary authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the services of such inspector. 5

Definition of labouring class. 4. For the purposes of sections two and three of this Act the expression “labouring class” includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them. 10 15

Short title. 5. This Act may be cited as the Local Government Board’s Provisional Orders Confirmation (No. 7) Act, 1894.

SCHEDULE.

A.D. 1894.

RURAL SANITARY DISTRICT OF THE BELPER UNION.

*Belper
Union
Order.*

*Provisional Order to enable the Sanitary Authority for the Rural
Sanitary District of the Belper Union to put in force the
Compulsory Clauses of the Lands Clauses Acts.*

5

To the Guardians of the Poor of the Belper Union, in the County of
Derby, being the Sanitary Authority for the Rural Sanitary District
of that Union ;—

And to all others whom it may concern.

- 10 WHEREAS the Guardians of the Poor of the Belper Union, in the County
of Derby, as the Sanitary Authority for the Rural Sanitary District of that
Union (herein-after referred to as “the Rural Authority”), require to purchase
and take the lands described in the Schedule hereto for the construction of works
for the supply of water to the contributory place of South Wingfield in their
15 District :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
20 effect ; viz,—

Art. I. The Rural Authority shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

- 25 Art. II. This Order may be cited as the Belper Union (South Wingfield)
Order, 1894.
-

A.D. 1894.

The SCHEDULE above referred to.

Belper
Union
Order.

County of DERBY.

Nos. on deposited Plans.	Description of Lands.	Owners.	Occupiers.	
	Parish of SOUTH WINGFIELD and Township of CRICH.			5
1	Field containing 5 acres or thereabouts.	John North, Arthur North, Walter North.	Thomas Langham.	
	Township of CRICH.			
2	Wood containing 605 square yards or thereabouts.	John Gregory Hopkinson, Sarah Ellen Hopkinson.	James Ashley.	10

Given under the Seal of Office of the Local Government Board, this
Nineteenth day of April, One thousand eight hundred and ninety-
four.

(L.S.)

G SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

15

BOROUGH OF BRADFORD (YORKS).

Bradford
(Yorks)
Order.

Provisional Order to enable the Urban Sanitary Authority for the
Borough of Bradford (Yorks) to put in force the Compulsory
Clauses of the Lands Clauses Acts.

20

To the Mayor, Aldermen, and Burgesses of the Borough of Bradford
(Yorks), being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Bradford
(Yorks), as the Urban Sanitary Authority for that Borough (herein-after referred
to as “the Corporation”), require to purchase and take the lands described in
the Schedule hereto for the following purposes ; viz,—

25

1. The lands mentioned in Part I. of the said Schedule for the construction of a new street from Grove Terrace to Ashgrove, in the Borough ;
2. The lands mentioned in Part II. of the said Schedule for the purpose of
altering, widening, and improving Easby Road, in the Borough : 30

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the

Act of Parliament confirming this Order, the following provisions shall have effect; viz.,—

A.D. 1894.

Bradford
(*Yorks*)
Order.

Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Bradford (Yorks) Order, 1894.

The SCHEDULE above referred to.

10 Township of HORTON, in the Township and Borough of BRADFORD.

Nos. on deposited Plans.		Description of Lands.	Owners or reputed Owners.	Occupiers.
PART I.				
15	1	House, garden, yard, and outbuildings.	Samuel Jackson - -	Adolph Isenberg.
	2	Land forming part of street known as Mannville Terrace.	Samuel Jackson, Samuel Firth.	Adolph Isenberg, James Firth.
20	3	House, garden, yard, and outbuildings.	Samuel Firth - - -	James Firth.
	4	School, yard, and outbuildings.	Robert Merry Frankland -	Unoccupied.
25	5	Garden, yard, and outbuildings.	Thomas Farrar Pettinger, James Neesom.	John Cass.
	6	House, garden, yard, and outbuildings.	Emma Thompson - -	Emma Thompson.
	7	ditto - - -	Mary Ann Parkinson -	George Smith Parkinson.
30	8	House, garden, passage, yard, and outbuildings.	ditto - - -	Unoccupied.
	9	House and garden - -	George Oldfield - -	George Oldfield.
	10	House, garden, and outbuildings.	ditto - - -	George Baker.
35	11	Passage, yard, and outbuildings.	George Oldfield - -	George Oldfield, George Baker.
	12	House, garden, yard, and outbuildings.	Thomas Nelson - -	Sharp Harrison.
	13	House, garden, passage, yard, and outbuildings.	Simeon Whiteley, Thomas Nelson.	Simeon Whiteley, Sharp Harrison.

A.D. 1894.

Bradford
(*Yorks*)
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
14	House, garden, yard, and outbuildings.	Simeon Whiteley - -	John Earl Sharman.	5
15	Passage - -	Simeon Whiteley, Thomas Nelson.	Sharp Harrison, Simeon Whiteley, John Earl Sharman.	
16	Yard and outbuildings -	John Thornton Masser, Hannah Masser.	Orlando Wilkinson.	10
17	Garden, yard, outbuildings, and roadway.	David Lister - -	Joseph Lister.	
18	Land forming part of road known as Claremont.	Thomas Farrar Pettinger, Joseph Neesom, William Blackburn.	John Cass, William Charles Lupton.	15
19.	Land - - -	William Blackburn -	William Charles Lupton.	
20	Street and wall known as Claremont Terrace and Posts.	David Lister, William Blackburn.	—	
21	Forecourt - - -	David Lister - -	Fanny Catherine Martin.	20
22	ditto - - -	ditto - - -	Mary Hannah Jennings.	
23	ditto - - -	ditto - - -	James Campbell.	
24	ditto - - -	ditto - - -	John Blair.	
25	ditto - - -	ditto - - -	Rachel Smith.	
26	ditto - - -	ditto - - -	Eliza Houldsworth.	25
27	ditto - - -	ditto - - -	Unoccupied.	
28	House, garden, yard, and outbuildings.	John Watmough - -	John Watmough.	
29	ditto - - -	Harriet Ann Cockcroft -	Harriet Ann Cockcroft.	
		PART II.		30
30	Forecourt, yard, and greenhouse.	Francis Bell - -	Francis Bell.	
31	Field - - -	Sir Francis Sharp Powell, Baronet, M.P.	Walter Barrand.	
32	ditto - - -	ditto - - -	Matthew Punch.	35

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

40

RURAL SANITARY DISTRICT OF THE BROMSGROVE
UNION.

A.D. 1894.

Bromsgrove
Union
Order.
(1.)

*Provisional Order to enable the Sanitary Authority for the Rural
Sanitary District of the Bromsgrove Union to put in force the
Compulsory Clauses of the Lands Clauses Acts.*

To the Guardians of the Poor of the Bromsgrove Union, in the County of
Worcester, being the Sanitary Authority for the Rural Sanitary
District of that Union;—

And to all others whom it may concern.

WHEREAS the Guardians of the Poor of the Bromsgrove Union, in the
County of Worcester, as the Sanitary Authority for the Rural Sanitary District
of that Union (herein-after referred to as "the Rural Authority"), require to
purchase and take the lands described in the Schedule hereto for the disposal
of the sewage of the contributory place of Stoke Prior, in their District, and
for providing access to such lands:

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect; viz.,

38 & 39 Vict.
c. 55.

Art. I. The Rural Authority shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purposes aforesaid,
the powers of the Lands Clauses Acts with respect to the purchase and taking
of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Bromsgrove Union (Stoke Prior)
Order, 1894.

The SCHEDULE above referred to.

Parish of DODDERHILL, in the County of WORCESTER.

Nos. on deposited Plans.	Description of Lands.	Owner.	Lessee or reputed Lessee and Occupier.
1	Pasture field	John Corbett	William Wilson.
2	Right of way over occupa- tion road to farmstead.	ditto	ditto.
3	Right of way over private road or cart track.	ditto	ditto.
4	Right of way over bridge over stream.	ditto	ditto.

Given under the Seal of Office of the Local Government Board, this
Second day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

A.D. 1894.

RURAL SANITARY DISTRICT OF THE BROMSGROVE
UNION.*Bromsgrove
Union
Order.
(2.)**Provisional Order to enable the Sanitary Authority for the Rural
Sanitary District of the Bromsgrove Union to put in force the
Compulsory Clauses of the Lands Clauses Acts.* 5

To the Guardians of the Poor of the Bromsgrove Union, in the County
of Worcester, being the Sanitary Authority for the Rural Sanitary
District of that Union; —

And to all others whom it may concern.

WHEREAS the Guardians of the Poor of the Bromsgrove Union, in the 10
County of Worcester, as the Sanitary Authority for the Rural Sanitary District
of that Union (herein-after referred to as "the Rural Authority"), require to
purchase and take the lands described in the Schedule hereto for the disposal
of the sewage of the contributory place of Webheath, in their District, and for
providing access to such lands : 15

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,— 20

Art. I. The Rural Authority shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance
of any existing public rights of highway, and for the purposes aforesaid,
the powers of the Lands Clauses Acts with respect to the purchase and taking
of lands otherwise than by agreement, or any of them. 25

Art. II. This Order may be cited as the Bromsgrove Union (Webheath)
Order, 1894.

The SCHEDULE above referred to.

Township of WEBHEATH, in the County of WORCESTER.

Nos. on deposited Plans.	Description of Lands.	Owner or reputed Owner.	Lessee or reputed Lessee and Occupier.	30
1	Pasture field - -	Maud Cheape - -	William Morton Stanley.	
2	Right of way over occupa- tion road.	ditto - -	ditto.	35

Given under the Seal of Office of the Local Government Board, this
Sixteenth day of April, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

40

RURAL SANITARY DISTRICT OF THE TOWNSHIP
OF SADDLEWORTH.

A.D. 1894.

*Saddleworth
Township
Order.*

*Provisional Order to enable the Sanitary Authority for the Rural
Sanitary District of the Township of Saddleworth to put in
force the Compulsory Clauses of the Lands Clauses Acts.*

5

To the Guardians of the Poor of the Township of Saddleworth, in the
County of the West Riding of Yorkshire and the County of Lancaster,
being the Sanitary Authority for the Rural Sanitary District of that
Township ; —

10 And to all others whom it may concern.

WHEREAS the Guardians of the Poor of the Township of Saddleworth, in
the County of the West Riding of Yorkshire and the County of Lancaster, as
the Sanitary Authority for the Rural Sanitary District of that Township
(herein-after referred to as "the Rural Authority"), require to purchase and
15 take the lands described in the Schedule hereto for the disposal of the sewage
of their District :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
20 Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Rural Authority shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of any
existing public rights of way, and for the purpose aforesaid, the powers of the
25 Lands Clauses Acts with respect to the purchase and taking of lands otherwise
than by agreement, or any of them.

Art. II. This Order may be cited as the Saddleworth Township Order, 1894.

A.D. 1894.

The SCHEDULE above referred to.

*Saddleworth
Township
Order.*

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
Township of SADDLEWORTH.				5
1	Land, bed of river, and buildings.	Ralph Radcliffe Whitehead and Brothers, Limited.	Henry Laycock.	
2	Land - - -	ditto - - -	ditto.	
3	Land and bridge - - -	ditto - - -	ditto.	
Borough of MOSSLEY.				10
4	Land and stream - - -	John Fletcher - - -	Thomas Kirkham.	
5	Land and public footpath -	John Fletcher, and the Urban Sanitary Authority for the Borough of Mossley.	Thomas Kirkham, and the Urban Sanitary Authority for the Borough of Mossley.	

Given under the Seal of Office of the Local Government Board, this 15
Twenty-first day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

*Saint George
Order.*

LOCAL GOVERNMENT DISTRICT OF SAINT GEORGE. 20

*Provisional Order to enable the Sanitary Authority for the
Urban Sanitary District of Saint George to put in force the
Compulsory Clauses of the Lands Clauses Acts.*

To the Saint George Local Board, being the Sanitary Authority for
the Urban Sanitary District of Saint George, in the County of 25
Gloucester ;—

And to all others whom it may concern.

WHEREAS the Saint George Local Board, as the Sanitary Authority for the
Urban Sanitary District of Saint George, in the County of Gloucester (herein
after referred to as "the Local Board"), require to purchase and take the lands 30
described in the Schedule hereto for the purpose of altering, widening, and
improving the street called Church Road in their District :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other 35
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid, the

powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them. A.D. 1894.

Art. II. This Order may be cited as the Saint George Order, 1894.

*Saint George
Order.*

The SCHEDULE above referred to.

5 Parish of SAINT GEORGE, in the County of GLOUCESTER.			
Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
10	1 Part of front garden -	Alfred Lovell - -	Alfred Lovell.
	2 Messuage, dwelling-house, garden, yard, and buildings.	The Trustee of Miss Phipps, deceased, viz., T. E. Williams.	Moses Gunter.
15	3 Part of the smithy front, frontage of eight cottages, and gardens.	Elizabeth J. Marks - -	William Peckett, James Pingston, Hester Wyatt, Charles Mawhood, Eliza Radford, Jane Gill, Alfred Gregory.
	4 Part of stonemason's and gardener's yard.	William Henry Mitchell -	Frederick Martin, Stephen Maggs.
20	5 Forecourts of two dwelling-houses.	William Griffiths Hodges -	William Griffiths Hodges, Francis Hudd.
	6 Part of forecourts of two dwelling-houses.	Albert George Verrier -	William Jefferies, John Francis.
25	7 Part of forecourts of three dwelling-houses.	Robert Inkerman Weight -	Mary Abrahams, Henry Abrahams, George Burley.
	8 Part of forecourt of one dwelling-house.	William Francis Bateman -	William Francis Bateman.
30	9 Forecourt of dwelling-house, shop, and premises.	Albert George Verrier -	Albert George Verrier.
	10 Part of yard of "Three Horse Shoes" Inn.	Messrs. Usher & Co. -	Henry Britton.
	11 Part of forecourts of seven dwelling-houses, sheds, and yards.	William Fox - -	William Fox, William McCarthy, Frederick Coggins, Joseph Barnes, Jesse Smith.
35	12 Forecourt and part of yard of dwelling-house.	Frederick Gay - -	Frederick Gay.
	13 Forecourts of three dwelling-houses and storeroom.	Henry Prigg, Joseph Phipps	Henry Prigg, Joseph Phipps, Henry Davies.
40	14 Forecourts of three dwelling-houses.	George Leonard - -	William Butt, George Hall, Henry Hawkins.
	15 Part of forecourts of five dwelling-houses.	John Fussell - -	John Gunter, Elizabeth Brain, Philip Fletcher, Henry Hawkins, William Sutton.
45	16 Part of forecourts of eight dwelling-houses.	Isaac Barratt - -	Fadin Felix Weston, Frederick Lawrence, John Humphries, George Gingell, Emily Harvey, William Nicholls, Aaron Moxam, Joseph Iles.
50	17 Part of site of Higher Grade Schools.	Saint George School Board -	Saint George School Board.

A.D. 1894.

Saint George
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
18	Part of two dwelling-houses	Elizabeth Lacey - -	Elizabeth Lacey, William Lacey.	5
19	Part of dwelling-house and yard.	The Trustees of Primitive Methodist Chapel, viz., George Dascombe, Job Leonard, W. J. Headington.	William Miles.	
20	Forecourts of dwelling-house and yard.	George Leonard - -	George Leonard.	10
21	Forecourts of two dwelling-houses and yard.	Christopher A. Hayes -	Christopher A. Hayes	
22	Part of forecourts of two shops and dwelling-houses.	Samuel Betty - -	Charles William Gay, Hannah Hitchings.	15
23	ditto - - -	George Coles - -	Sarah Ann Moss, George Coles.	
24	ditto - - -	Samuel Cossens, junior -	Edward Hembrough, William Gough.	
25	Part of frontage of two shops and dwelling-houses.	Emily Tyler - -	Emily Tyler, J. J. Jones.	20
26	Part of forecourt of one shop and one dwelling-house.	Alfred Peacock - -	Cephas Barratt, Frederick Evans.	
27	Part of forecourt of one shop and dwelling and dwelling-house.	Samuel Smith - -	Samuel Smith, Eliza Hunt.	25
28	Part of forecourts of three dwelling-houses.	Ann Lacey - -	Mary Ann Hull, George Brain, John Robbins.	
29	Part of forecourts of four dwelling-houses.	The Trustees of John Chappell, deceased, viz., James Lacey, James Taylor.	Samuel Bennett, John Fudge, Joseph Gay, and Frederick Thomas.	30
30	Forecourts and part of four dwelling-houses.	Charles Smith - -	George Richards, George Bryant, Elizabeth Harding, and George Jenkins.	
31	Part of front yard - -	Thomas Watkins - -	William Hill.	35
32	Forecourts of six houses and part of two dwelling-houses.	John Joseph Ballard -	Mary Hale, George Henry Pruett, Elizabeth Bush, Alfred J. Plumley, George Taylor, Joseph Harding.	
34	Urinal and horse trough and pavement in front of and belonging to "Black Horse" Inn.	William John Rogers -	Robert William Barrow.	40
35	Horse trough, urinal, and forecourt of cottages in front of and belonging to "Rising Sun" Inn.	Georges & Co., Limited -	Reuben Govier, Abraham Bryant.	45
36	Urinal, horse trough, part of yard, and the frontage of "George and Dragon" Inn.	ditto - - -	Samuel Cossens, junior.	50
37	Part of front garden of messuage, dwelling-house, and grounds, and entrance to back.	Bethesda Villa Trustees, viz., William Stone, F. O. Hawkins, Frederick Stone, John Wynes.	Edwin David Green.	55

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
5	39 Frontage and porch to Saint Matthew's Sunday School.	The Vicar and Churchwardens of Saint Matthew's Church, viz., Reverend C. Griffiths, George Hulme, Thomas Warren.	The Vicar and Churchwardens of Saint Matthew's Church, viz., Reverend C. Griffiths, George Hulme, Thomas Warren.
16	40 Part of forecourt of two houses and gardens.	William Stone Grindell -	John Holtham, Philip Buzzo.
	41 Part of corn stores, shop, yards, and buildings.	Alfred Munro, George Stone	George Stone, James Guest.
	42 Entrance to back premises -	Alfred Munro, George Stone, Thomas Wilford.	George Stone, Thomas Wilford.
15	43 Part of forecourt of house, yard, and stables.	Thomas Wilford - -	Thomas Wilford.
	44 Part of forecourt of one dwelling-house.	Lydia Mary Quantock -	George Chedzey.
20	45 Part of forecourt of two dwelling-houses.	Henry Hicks, Phæbe Hicks	John Bennett, William Bryant.
	46 Part of forecourt of one dwelling-house.	The Executor of the Will of George Smith, deceased, viz., Thomas Parkes.	Benjamin Smith.
	47 ditto - - -	Samuel Cossens, junior -	Henry Turner.
25	47A Part of forecourt of two dwelling-houses.	The Trustee of the Will of Susannah Bushnell, deceased, viz., Alfred Martin Henry Rich.	James Leake, William James Price.
30	48 Part of forecourt of one dwelling-house.	George Thomas Brown -	George Thomas Brown.
	49 Part of forecourt of two dwelling-houses.	The Trustee of the Will of Susannah Bushnell, deceased, viz., Alfred Martin Henry Rich.	Thomas Major, Francis Bridges.
35	50 Part of boiler and tank works, and part of entrance yard and forecourt of dwelling-house.	William Rogers -	William Rogers.
40	51 Part of Wainbrook timber yard.	John Withy - - -	Underhill & Co.
	52 Part of dwelling-house, garden, and forecourt.	ditto - - -	Thomas Yeardeley.
	53 Part of forecourt of three dwelling-houses.	James Sherring - -	Walter Lane, Samuel Whitford, Francis Hearle.
45	54 Part of fourcourts of four dwelling-houses.	George Cunningham -	Sarah Jackson, Alfred Buss, Edward Tyler, Albert Cunningham.

A.D. 1894.
Saint George
Order.Given under the Seal of Office of the Local Government Board, this
Twenty-fourth day of April, One thousand eight hundred and
ninety-four.

50

(1..8.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

Wakefield
Union
Order.RURAL SANITARY DISTRICT OF THE WAKEFIELD
UNION.*Provisional Order to enable the Sanitary Authority for the Rural
Sanitary District of the Wakefield Union to put in force the
Compulsory Clauses of the Lands Clauses Acts.* 5

To the Guardians of the Poor of the Wakefield Union, in the County of the
West Riding of Yorkshire, being the Sanitary Authority for the Rural
Sanitary District of that Union; —

And to all others whom it may concern.

WHEREAS the Guardians of the Poor of the Wakefield Union, in the 10
County of the West Riding of Yorkshire, as the Sanitary Authority for the
Rural Sanitary District of that Union (herein-after referred to as "the Rural
Authority"), require to purchase and take the lands described in the Schedule
hereto for the following purposes —

- (1.) The lands described in Part I. for the disposal of the sewage of the 15
contributory place of Shitlington, and for providing access to such lands;
- (2.) The lands described in Part II. for the disposal of the sewage of the
contributory place of Crigglestone; and
- (3.) The lands described in Part III. for the disposal of the sewage of part of
the contributory place of Ardsley East : 20

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the Act
of Parliament confirming this Order, the following provisions shall have effect ;
viz.,— 25

Art. I. The Rural Authority shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of
any existing public rights of highway, and for the purposes aforesaid, the powers
of the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them. 30

Art. II. This Order may be cited as the Wakefield Union (Shitlington,
Crigglestone, and Ardsley East) Order, 1894.

The SCHEDULE above referred to.

A.D. 1894.

West Riding of the County of YORKSHIRE.

*Wakefield
Union
Order.*

5	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
10	Sheet No. 1. 1	A strip or piece of land containing by admeasurement 848 square yards or thereabouts.	George Lane Fox -	The Flockton Coal Company, Limited.	The Trustees of the Will of Charles Salmon, deceased, viz., Elizabeth Salmon, John Edward Salmon, and Charles Hubert Salmon.
15	2	A strip or piece of land containing by admeasurement 1,003 square yards or thereabouts.	ditto - -	ditto - -	William Charlesworth.
20	3	Part of a close of land known as "The Strands," containing 6a. 2r. 5p. or thereabouts.	ditto - -	ditto - -	ditto.
25	Sheet No. 2. 1	Part of a close of land known as "Little Stubbings," containing 4a. 3r. 5p. or thereabouts.	Albany Hawke - Charlesworth.	- - -	Joseph Jubb.
35	Sheet No. 3. 1	Bridle road, public footpath, and part of a close of land known as "Far Grass Close," containing 2a. 0r. 0p. or thereabouts.	John Appleyard -	- - -	Joseph Hodgson.
40	Sheet No. 3. 1	Bridle road, public footpath, and part of a close of land known as "Far Grass Close," containing 2a. 0r. 0p. or thereabouts.	John Appleyard -	- - -	Joseph Hodgson.

45 Given under the Seal of Office of the Local Government Board, this
Twenty-first day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 7).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bradford (Yorks) and Saint George, and the Rural Sanitary Districts of the Belper Union, the Bromsgrove Union (two), the Wakefield Union, and the Township of Saddleworth.

(*Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre.*)

*Ordered, by The House of Commons, to be Printed,
26 April 1894.*

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[Bill 195.]

A
B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Gosport and Alverstoke, Harrow, Ilfracombe, Norwich, Ramsgate, and Redruth.

A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provisions herein contained should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, subject to the provisions of this Act, have full validity and force.

Orders in
schedule
confirmed

2. The sanitary authorities mentioned in the Orders relating to the Urban Sanitary Districts of Gosport and Alverstoke, Harrow, Ilfracombe, Ramsgate, and Redruth hereby confirmed, shall not purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses included in the schedules to those Orders which on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

Restriction
of power to
take houses
of labouring
class.

[Bill 220.]

A

A.D. 1894.

3. The following provisions shall apply to the sanitary authority for the urban sanitary district of Norwich :—

- (1.) The sanitary authority shall not purchase or acquire, either compulsorily or by agreement, in the district ten or more houses included in the schedule to the Norwich Order (No. 2), 1894, 5 which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—
 - (a.) They shall have obtained the approval of the Local 10 Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Local Government Board shall, after inquiry, deem necessary, having regard to the number of 15 persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the 20 case ; and
 - (b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.
- (2.) The approval of the Local Government Board to any scheme 25 under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme. 30
- (3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme 35 is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may see fit.
- (4.) Any provisions of any scheme under this section, or any 40 conditions subject to which the Local Government Board

may have approved of any scheme, or of any modifications of any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

A.D. 1894.

(5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act or of the Norwich Order (No. 2), 1894, in contravention of the foregoing provisions, or displace or caused to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme, they shall be liable to a penalty of *five hundred pounds* in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act, 1875, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section, subject to such conditions, if any, as they may see fit.

(7.) The sanitary authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any

A.D. 1894.

witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding *three guineas* a day, for the services of such inspector.

Definition
of labouring
class.

4. For the purposes of sections two and three of this Act the expression "labouring class" includes mechanics, artizans, 5 labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the 10 families of any of such persons who may be residing with them.

Short title.

5. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1894.

S C H E D U L E.

A.D. 1894.

LOCAL GOVERNMENT DISTRICT OF GOSPORT
AND ALVERSTOKE.

*Gosport
and
Alversto
Order.*

- 5 *Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Gosport and Alversto
the Compulsory Clauses of the Lands Clauses Acts.*

To the Gosport and Alversto
for the Urban Sanitary District of Gosport and Alversto
County of Southampton ; —

- 10 And to all others whom it may concern.

- WHEREAS the Gosport and Alversto
Authority for the Urban Sanitary District of Gosport and Alversto
County of Southampton (herein-after referred to as "the Local Board"),
require to purchase and take the lands described in the Schedule hereto for
15 the purpose of widening the street known as Bury Road, in their District :

- Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
20 effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, and for the purpose aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

- 25 Art. II This Order may be cited as the Gosport and Alversto Order, 1894.
-

A.D. 1894.

The SCHEDULE above referred to.

*Gosport
and
Alverstoke
Order.*

Parish of ALVERSTOKE, in the County of SOUTHAMPTON.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
1	Garden land containing 135 square yards or thereabouts in front of Bury House.	Philip Hordern - -	Philip Hordern.	5
2	Garden land containing 27 square yards or thereabouts in front of "Fairthorne"	Edwin Laphorn -	Edwin Laphorn.	10

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of April, One thousand eight hundred and ninety
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

15

*Harrow
Order.*

LOCAL GOVERNMENT DISTRICT OF HARROW.

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Harrow to put in force the Compulsory
Clauses of the Lands Clauses Acts.*

To the Harrow Local Board, being the Sanitary Authority for the Urban 20
Sanitary District of Harrow, in the County of Middlesex ; —

And to all others whom it may concern.

WHEREAS the Harrow Local Board, as the Sanitary Authority for the
Urban Sanitary District of Harrow, in the County of Middlesex (herein-after
referred to as "the Local Board"), require to purchase and take the lands 25
described in the Schedule hereto for the purpose of widening, altering, and
improving the street known as Byron Hill Road, in their District; and for
erecting and establishing public baths and wash-houses for their District, under
the provisions of the Baths and Wash-houses Acts :

Now therefore, We, the Local Government Board, in pursuance of the powers 30
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference 35
to the lands described in the Schedule hereto, and for the purposes aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Harrow Order, 1894.

The SCHEDULE above referred to.

A.D. 1894.

Harrow
Order.

Parish of HARROW-ON-THE-HILL, in the County of MIDDLESEX.

5 No. on deposited Plans.	Description of Lands.	Owners or reputed Owners.
1	Harrow pond and approach	The Local Board.

NOTE.—Under the Harrow Enclosure Award the use of the pond was allotted to the Surveyor of Highways within the Parish of Harrow and Hamlet of Pinner, to be used by the said Surveyor and by the proprietors of lands and tenements within the said Parish and Hamlet and their tenants as a watering place for cattle, together with the said approach.

Given under the Seal of Office of the Local Government Board, this
Twenty-eighth day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF ILFRACOMBE.

Ilfracombe
Order.

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Ilfracombe to put in force the Compulsory
Clauses of the Lands Clauses Acts.*

20 To the Ilfracombe Local Board, being the Sanitary Authority for the Urban
Sanitary District of Ilfracombe, in the County of Devon ;—

And to all others whom it may concern.

25 WHEREAS the Ilfracombe Local Board, as the Sanitary Authority for the
Urban Sanitary District of Ilfracombe, in the County of Devon (herein-after
referred to as “the Local Board”), require to purchase and take the lands
described in the Schedule hereto for the purpose of improving Broad Street
and the Quay, in their District :

30 Now therefore, We, the Local Government Board, in pursuance of the
powers given to Us by Section 176 of the Public Health Act, 1875, and by any
other Statutes in that behalf, do hereby Order that, from and after the date
of the Act of Parliament confirming this Order, the following provisions shall
have effect ; viz,—

38 & 39 Vict.
c. 55.

35 Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of
any existing public rights of highway, and for the purpose aforesaid, the powers
of the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Ilfracombe Order, 1894.

A.D. 1894.

*Ilfracombe
Order.*

The SCHEDULE above referred to.

Parish of ILFRACOMBE, in the County of DEVON.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
1	House, "Crown Inn"	Annie Widdowson -	Arnold and Sons -	Joseph Channing.	5
1A	Storehouse - -	ditto - -	- - - -	Mary Taylor, Thomas Watts.	
2	House, "Britannia Hotel."	Reginald Joseph Weld, and Henry Joseph Weld Blundell, as Committee of his Estate.	Arnold, Perrett, and Company, Limited.	Emma Dunn.	10
3	Vacant land (part of street).	The Trustee of Ilfracombe Harbour, viz., Reginald Joseph Weld, and Henry Joseph Weld Blundell, as Committee of his Estate.	- - - -	Unoccupied.	15
					20

Given under the Seal of Office of the Local Government Board, this
Third day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

25

*Norwich
Order.
(2.)*

CITY OF NORWICH.

*Provisional Order to enable the Urban Sanitary Authority for the
City of Norwich to put in force the Compulsory Clauses of the
Lands Clauses Acts.*

To the Mayor, Aldermen, and Citizens of the City of Norwich, being
the Urban Sanitary Authority for that City ;—

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Citizens of the City of Norwich,
acting by the Council, as the Urban Sanitary Authority for that City (herein-
after referred to as "the Corporation"), require to purchase and take the lands
described in the Schedule hereto for the following purposes ; viz.,—

1. The lands mentioned in Part I. of the said Schedule for the purpose of
widening, extending, and improving Derby Street, in the said City.
2. The lands mentioned in Part II. of the said Schedule for the purpose of
widening, enlarging, and improving Saint George's Bridge Street, in the
said City.
3. The lands mentioned in Part III. of the said Schedule for the purpose of
widening, enlarging, and improving Vauxhall Street and Rupert Street,
in the said City.

4. The lands mentioned in Part IV. of the said Schedule for the purpose of widening, enlarging, and improving Union Street, in the said City. A.D. 1894.
5. The lands mentioned in Part V. of the said Schedule for the purpose of widening, enlarging, and improving a street known as Crook's Place Opening, in the said City. *Norwich Order.* (2.)
6. The lands mentioned in Part VI. of the said Schedule for the purpose of widening, enlarging, and improving a street known as Rose Lane, in the said City.
7. The lands mentioned in Part VII. of the said Schedule for the purpose of extending and improving a street known as the Haymarket, in the said City.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect; viz.,— 38 & 39 Vict. c. 55.

Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands other than by agreement, or any of them: Provided that if the Corporation shall acquire any portion of the lands numbered 13 on the deposited plans described in Part IV. of the Schedule hereto, nothing herein contained shall authorise the Corporation to remove any body, or the remains of any body, interred therein, without first obtaining such license as is required by law in that behalf.

Art. II. This Order may be cited as the Norwich Order (No. 2), 1894.

The SCHEDULE above referred to.

City of NORWICH.

30	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
PART I.					
Hamlet of NORTH HEIGHAM.					
40	1	Dwelling-house, out-buildings, and land.	Thomas Wallace	- - - -	William Wicks.
	2	ditto - -	ditto - -	- - - -	William Stangroom.
	3	ditto - -	ditto - -	- - - -	James Nobbs.
	4	ditto - -	ditto - -	- - - -	Robert Cooper.
45	5	ditto - -	William Robert Cooper.	- - - -	John Graves.
	6	Public-house called the "Derby Arms," land, and outbuildings.	Morgan's Brewery Company, Limited.	- - - -	Louisa Mills.

A.D. 1894.

Norwich
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
PART II.					
Parish of SAINT GEORGE OF COLEGATES.					5
1	Dwelling-house, shop, and land.	Charles Washington Marston.	Abraham Marston.	Abraham Marston.	
2	Public-house known as the "Corkcutters Arms," and land.	Coleman's Brewery Company, Limited.	-	Henry May.	
3	Shop, warehouse, and land.	John Rout.	-	John Rout.	10
4	Warehouse and land.	ditto.	Jane Dingle.	Jane Dingle.	
5	Shop, dwelling-house, and land.	The Vicar and Churchwardens of Saint Andrew's Parish.	John Youngs, Charles Crawshay, Robert Carrs Youngs.	David Willis.	15
6	ditto.	ditto.	ditto.	Robert Cushing Crosskill, Charles Robert Crosskill.	20
7	Public-house and land known as the "Corn Exchange."	ditto.	ditto.	Samuel Childs Chatten.	
8	Shop, dwelling-house, and land.	The Executors of the Will of Thomas Good, deceased, viz., John Clarke, Irwin Edward Dixon.	-	Thomas Baxter Wilkinson.	25
9	ditto.	ditto.	Robert Bond. Hearne.	Robert Hearne Bond.	30
10	ditto.	ditto.	-	Walter Mace.	
11	ditto.	Susannah Gilbert.	-	William James Gooda.	
12	Public-house known as the "Two Quarts," and land.	John Youngs, Charles Crawshay, Robert Carrs Youngs.	-	James Cooper.	35
PART III.					
Hamlet of SOUTH HEIGHAM.					
1	Dwelling-house and land.	Michael George Gilbert.	-	Michael George Gilbert.	40
2	Shop, dwelling-house, and land.	ditto.	-	Charles Bowtell Thirkettle.	
3	Dwelling-house and land.	ditto.	-	Samuel Hardingham.	
4	ditto.	ditto.	-	Thomas Elijah Matthews.	45
5	ditto.	ditto.	-	Roger Fye.	

[57 VICT.] *Local Government Provisional Orders*
(No. 8).

11

A.D. 1894.
Norwich
Order.
(2.)

	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	6	Passage, known as Leicester Place.	Edward John Wigg, Robert Wilson.	- - -	George Cooper, James Horth, Anthony Moore, James Mack, Richard Woodstack.
	7	Shop, dwelling-house, and land.	Edward John Wigg	- - -	Frederick Edward Key.
10	8	ditto - -	ditto - -	- - -	Ann Thirkettle.
	9	ditto - -	William Roland	- - -	George Wick.
	10	ditto - -	George Press Burrows	- - -	John Holmes.
15	11	Passage, known as Roland's Yard.	William Roland	- - -	Thomas Smith, Mary Ann Mount, Fisher Daynes, Charles Wilson.
	12	Dwelling-house and land.	George Press Burrows	- - -	Ernest William Gaze.
	13	ditto - -	ditto - -	- - -	Susan Sexton.
20	14	Shop, dwelling-house, and land.	Edward Theobald	- - -	William Day.
	15	Dwelling-house and land.	ditto - -	- - -	ditto.
25	16	Shop, dwelling-house, and land.	David Marris	William Christmas Elmer.	William Christmas Elmer.
	17	Dwelling-house and land, and portion of passage belonging thereto.	Alice Maria Cocks	- - -	Henry Croft.
30	18	Dwelling-house and land.	The Executor of the Will of Hannah Reeve, deceased, viz., Edmund James Culyer.	- - -	Unoccupied.
35	19	Shop, dwelling-house, and land.	Mary Ann Bacon	- - -	Abigail Bligh.
	20	Passage - -	ditto - -	- - -	Alfred Knights, Joseph Fagleton.
40	21	Shop, dwelling-house, and land.	ditto - -	- - -	Jabez Charles Birch.
	22	Dwelling-house and land.	Benjamin Richard Gold Watling.	- - -	Elizabeth Cooper.
	23	ditto - -	ditto - -	- - -	Charles Bunn.
45	24	ditto - -	Henry William Rain- ger.	- - -	Hannah Howlett.
	25	ditto - -	ditto - -	- - -	Ann Easter Sewell.
	26	ditto - -	ditto - -	- - -	Samuel Lemon.
	27	ditto - -	ditto - -	- - -	Emily Coe.
	28	ditto - -	Joseph Beard	- - -	William Watts.

A.D. 1894.
—
Norwich
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
29	Dwelling-house and land.	Joseph Beard	- - - -	Joseph Beard.	5
30	ditto - -	Fanny MacAllan	- - - -	Samuel Wallace.	
31	ditto - -	ditto - -	- - - -	John Beaupre Bell Clee.	
32	Shop, dwelling-house, and land.	Frederick Smith	- - - -	Frederick Smith.	10
33	Dwelling-house and land.	Harriet Syder	- - - -	Harriet Syder.	
34	Shop, dwelling-house, and land.	George Tuck	- - - -	John Tillett.	
35	Passage - -	Charles Fountain Hinde.	- - - -	Joshua Bullard.	15
36	Dwelling-house and land.	David Marris	- - - -	James Nunn.	
37	ditto - -	ditto - -	- - - -	John Dixon.	
38	ditto - -	Minnie Church	- - - -	James Everard.	20
39	ditto - -	ditto - -	- - - -	Eliza Newman.	
40	ditto - -	ditto - -	- - - -	Charles Fox.	
41	Shop, dwelling-house, and land.	Hannah Youngman	- - - -	Charles Youngman.	
42	Dwelling-house and land.	John Cole Cubitt	- - - -	John Cole Cubitt.	25
43	ditto - -	ditto - -	- - - -	Elizabeth Thirkettle.	
44	Shop, dwelling-house, and land.	ditto - -	- - - -	Joshua Bullard.	
45	ditto - -	Frederick Smith	- - - -	Frederick Smith.	30
46	ditto - -	Robert Rose	- - - -	Ernest Robert Rose.	
47	ditto - -	Benjamin Branford Morgan.	- - - -	David Richardson.	
101	Dwelling-house and land.	Alfred Penn	- - - -	Alfred Penn.	35
102	ditto - -	ditto - -	- - - -	William Grimble.	
48	Shop, dwelling-house, and land.	Joseph Smith	- - - -	Arthur Page.	
49	Dwelling-house and land.	ditto - -	- - - -	Elizabeth Harper.	40
50	ditto - -	ditto - -	- - - -	James Elston.	
51	ditto - -	ditto - -	- - - -	Maria Manning.	
52	ditto - -	ditto - -	- - - -	John Robert Mann.	
53	ditto - -	ditto - -	- - - -	Henry William Brown.	

A.D. 1894.

Norwich
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	54 Shop, dwelling-house, and land.	Mary Ann Gunton - - -	- - -	William Cooper Brooks and James George Fisher.
	55 ditto - -	Sarah Ann Andrews - - -	- - -	William Briggs.
	56 Dwelling-house and land.	ditto - - -	- - -	William Freeman.
10	57 ditto - -	ditto - - -	- - -	George Harvey.
	58 ditto - -	ditto - - -	- - -	George Rumsby.
	59 ditto - -	ditto - - -	- - -	Alfred Wiseman.
	60 ditto - -	Walter Manning - - -	- - -	John Richard Stevens.
15	61 ditto - -	ditto - - -	- - -	Unoccupied.
	62 ditto - -	ditto - - -	- - -	William Barrett.
	63 ditto - -	ditto - - -	- - -	Joseph William Taylor.
	64 Shop, dwelling-house, and land.	ditto - - -	- - -	Walter James Barker.
20	65 ditto - -	Richard Pooley - - -	- - -	Amos James Wilde.
	66 Dwelling-house and land.	ditto - - -	- - -	Edwin John Daynes.
	67 ditto - -	ditto - - -	- - -	John Mace.
	68 ditto - -	ditto - - -	- - -	Richard Franklin.
25	69 ditto - -	Charles Albert Au- good.	- - -	Emanuel Miles.
	70 ditto - -	ditto - - -	- - -	Thomas Ames.
	71 ditto - -	Susan Barnes - - -	- - -	John Hewitt.
	72 ditto - -	ditto - - -	- - -	William Francis Dunn.
30	73 ditto - -	Charles Browne - - -	- - -	William Flatt.
	74 ditto - -	ditto - - -	- - -	William Hunt.
	75 ditto - -	Elizabeth Eagleton - - -	- - -	Joseph Blyth.
	76 ditto - -	ditto - - -	- - -	Arthur Joseph Eagle- ton.
35	77 ditto - -	ditto - - -	- - -	William Hall.
	78 Public-house, called the "Locomotive," and land.	Morgans' Brewery Company, Limited.	- - -	John Edward Harvey.
40	79 Dwelling-house and land.	Helen Harmer - - -	- - -	Robert King.
	80 ditto - -	ditto - - -	- - -	Henry Goreham.

A.D. 1894.

Norwich
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
81	Shop, dwelling-house, and land.	The Executors of the Will of George Ling, deceased, viz., Mary Ann Ling, Edward Orams.	- - -	Samuel Sistern.	5
82	ditto - -	Hannah Hood - -	- - -	Frederick Meachen. George	10
83	Dwelling-house and land.	Mary Ann Mayston -	- - -	Sarah Mallett.	
84	ditto - -	ditto - -	- - -	William Robert Aldous.	
85	ditto - -	ditto - -	- - -	John Belcher Slater.	15
86	ditto - -	ditto - -	- - -	William Gostling.	
87	ditto - -	ditto - -	- - -	Charles Hipperson.	
88	Public-house, called the "Essex Tavern," and land.	The Executrix of the Will of Charles Copperwheat, deceased, viz., Hannah Copperwheat.	- - -	Hannah Copperwheat.	20
89	Dwelling-house and land.	Harriet Elizabeth Nesbit.	- - -	Sarah Cole.	
90	ditto - -	ditto - -	- - -	Robert Burroughes.	25
91	ditto - -	ditto - -	- - -	William Bayes.	
92	ditto - -	ditto - -	- - -	Samuel Rayner.	
93	ditto - -	ditto - -	- - -	John Brown.	
94	ditto - -	George Francis Dixon.	- - -	Mary Cattermer.	30
95	ditto - -	Martha Loades -	- - -	Martha Loades.	
96	ditto - -	William Robert Hudson.	- - -	Harriet Rix.	
97	ditto - -	ditto - -	- - -	Samuel Jerry. William	35
98	ditto - -	Robert Fordham -	- - -	Robert Fordham.	
99	Shop, dwelling-house, and land.	ditto - -	- - -	ditto.	
100	ditto - -	Nathaniel Lincoln -	- - -	Nathaniel Lincoln.	

PART IV.

40

Parish of SAINT STEPHEN and Hamlet of SOUTH HEIGHAM.

1	Dwelling-house, workshop, outbuildings, and land.	John Hotblack - -	- - -	Celia Hibbert.	
5A	Dwelling-house, outbuildings, and land.	Aaron Humphrey - -	- - -	Aaron Humphrey.	45

A.D. 1894.
—
Norwich
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(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	6 Public-house called the "Coach and Horses," land, and outbuildings.	Jeannie Le Strange -	Sir Harry Bullard, Fred Bullard, John Boyce.	William Hollidge.
	7 Dwelling-house, outbuildings, and land.	Harriet Hardy -	- - -	William Williment.
10	8 ditto - -	ditto - -	- - -	John Fox.
	9 Dwelling-house, outbuildings, land, and passage.	Thomas Daws Duffield -	- - -	William Mason.
15	10 Dwelling-house, outbuildings, and land.	ditto - -	- - -	Frederick William Weeds.
	11 Shop, dwelling-house, outbuildings, and land.	Thomas Bury -	- - -	Sarah Ann Gay.
	12 ditto - -	Thomas Beaman -	- - -	Walter William Walker.
20	13 Mission hall and land	Rector and Churchwardens, Holy Trinity Church, South Heigham.	- - -	Rector and Churchwardens, Holy Trinity Church, South Heigham.
25	14 Shop, dwelling-house, outbuildings, - land, and passage.	Joseph Cox -	- - -	Joseph Cox.
	16 Dwelling-house, outbuildings, and land.	ditto - -	- - -	John Smith.
	17 ditto - -	ditto - -	- - -	Richard Chilvers.
30	18 ditto - -	ditto - -	- - -	William Nicholls.
	19 ditto - -	ditto - -	- - -	Harry Skipper.
35	20 Public-house called "Albion Tavern," outbuildings, and land.	Sir Harry Bullard, Fred Bullard, John Boyce.	- - -	Mary Ann White.
	21 Dwelling-house, outbuildings, and land.	Daniel Hurn -	- - -	Frederick Franklin.
	22 ditto - -	ditto - -	- - -	Joshua Henry Swann.
	23 ditto - -	James Chipperfield -	- - -	John Harvey.
40	24 ditto - -	ditto - -	- - -	Robert Fuller.
	25 Shop, outbuildings, and land.	ditto - -	- - -	James Pond.
45	26 Shop, dwelling-house, outbuildings, and land.	John Brigham -	- - -	Susannah Darby.

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Norwich
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
27	Passage	The Trustees of the Presbyterian School, viz., Charles Frederick Stevens, James Mottram, Alfred Mottram, Joseph Woodrow, Richard William Ladell, Richard Foulsham Ladell, Charles Peach.	-	Matthew Bane Stockings, Susan Elliott, Mary Hutchinson, Henry Bacon, Henry William Kingston Rudd, Arthur King, Harriet Andrews.	5 10
28	Dwelling-house, out-buildings, and land.	Samuel Peter Bush	-	John Nichols.	15
29	ditto	ditto	-	William Page.	
30	ditto	The Executors of the Will of Henry Hill, deceased, viz., Ann Hill, Henry Oake.	-	John Bush.	20
31	ditto	ditto	-	William Finch.	
32	ditto	William Cooper	-	Samuel Bushell.	
33	ditto	ditto	-	Mary Ann Howard.	25
34	ditto	ditto	-	Henry Randall.	
35	Dwelling-house, out-buildings, land, and passage.	ditto	-	James Stephen Fake.	
36	ditto	John Bullard	-	Henry Huggins.	30
37	Dwelling-house, out-buildings, and land.	ditto	-	Mary Ann Page.	
38	ditto	ditto	-	William Lucas.	
39	ditto	ditto	-	George Bloomfield.	
40	ditto	Thomas Daws Duffield	-	William Bales.	35
41	ditto	ditto	-	Sophia Brett.	
42	ditto	William Stockings	-	Charles Edwards.	
43	ditto	ditto	-	James Oakley.	
44	Dwelling-house, out-buildings, land, and passage.	ditto	-	Frederick Green.	40
45	Dwelling-house, out-buildings, and land.	William Howard	-	George Jermy.	
46	Shop, dwelling-house, outbuildings, and land.	Sarah Forster	George Chatten	George Chatten.	45
47	Dwelling-house, out-buildings, and land.	ditto	-	Albert Gill.	
48	ditto	ditto	-	George Baker.	50

Nos. on deposited Plans.		Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
A.D. 1894. Norwich Order. (2.)					
5	49	Dwelling-house, out-buildings, and land.	Sarah Forster	- - -	Alfred Boatwright.
10	50	ditto - -	The Trustees of the Methodist Free Church, viz., John Barber, Charles John Bower, Edward Blackburn, Frederick Arthur Bond, John Alfred Davy, Charles Waterhouse Daws, John Dodson, Edward Lister Dixon, Robert Wright Fiddy, Robert Wright Fiddy, Junr., Everitt Gaze, Charles Hubbard, Peter Mellish Kett, Samuel Mills, Joseph John Read, Joseph Robert Reynolds, William Spurgeon, Austin Tuck, Edwin James Turner, William Wade.	- - -	Clara Brightwell.
15					
20					
25					
30	51	ditto - -	ditto - -	- - -	Sarah Ann Denny.
	52	Shop, dwelling-house, outbuildings, and land.	Nathaniel Hannant, senior.	- - -	Nathaniel Hannant, junior.
35	53	ditto - -	James Beane - -	- - -	Robert Gibson.
	55	ditto - -	Daniel Hurn - -	- - -	Frank Kemp.
	56	Dwelling-house, out-buildings, and land.	George Yallop	- - -	Sarah Fenn.
	57	ditto - -	ditto - -	- - -	William Folk.
40	58	ditto - -	ditto - -	- - -	ThomasWilliam Knott.
	59	ditto - -	ditto - -	- - -	George Dowe.
	60	Shop, dwelling-house, outbuildings, and land.	Susan Barnes - -	- - -	Henry Wilson Delf.
45	61	Dwelling-house, out-buildings, and land.	Sarah Ann Lebell - -	- - -	Jane Dyball.
	62	ditto - -	John Benjamin Cooper.	- - -	Robert Mayfield.
	63	ditto - -	ditto - -	- - -	William Simpson.
50	64	Shop, dwelling-house, outbuildings, and land.	Alfred Sidell - -	- - -	Stephen Coan.
55	65	Dwelling-house, workshop, outbuildings, and land.	Syar Henry Cracknell	- - -	Syar Henry Cracknell.

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(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
PART V.				
Parish of SAINT STEPHEN.				
1	Dwelling-house, out-buildings, and land.	The Executors of the Will of George Ling, deceased, viz., Mary Ann Ling, Edward Orams.	- - -	William Henry Sharpe.
2	ditto - -	ditto - -	- - -	William Dobson.
3	ditto - -	Thomas Bury - -	- - -	David Burt.
4	ditto - -	ditto - -	- - -	William Graver.
5	ditto - -	Albert Newcome - -	- - -	James Watling.
6	ditto - -	Henry Ketteringham	- - -	Matilda Lingwood.
7	ditto - -	ditto - -	- - -	Walter Clare.
8	Mission hall and workshop.	George Arthur Wales Beard, William Richmond Beard.	- - -	The Trustees of City Mission Hall, viz. John Brett, Thomas Cushing, Thomas Hansell, Charles Hawes, Thomas Mansfield.
PART VI.				
Parish of SAINT PETER PER MOUNTGATE.				
1	Dwelling-house, stables, cart-sheds, outbuildings, and land.	Eliza Louisa Cooke -	- - -	Eliza Louisa Cooke, Sydney Raymont Cooke.
PART VII.				
Parish of SAINT PETER OF MANCROFT.				
1	Public-house called "The White Horse," land, and hereditaments.	Charles Crawshay -	John Youngs, Charles Crawshay, Robert Carrs Youngs.	Daniel Herbert Beck.
2	Workshop - -	Ann Fox, John Hives Fox, and Alfred Fox.	- - -	Ann Fox, John Hives Fox, and Alfred Fox.
2	Shop, land, and hereditaments.	The Executors of the Will of William Stacey, deceased, viz., Eliza Stacey, Walter Bennett.	Robert Jeary -	Randall Cozens.
	Workshop - -	Ann Fox, John Hives Fox, and Alfred Fox.	- - -	Ann Fox, John Hives Fox, and Alfred Fox.

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of April, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF RAMSGATE.

A.D. 1894.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Ramsgate to put in force the Compulsory Clauses of the Lands Clauses Acts.

Ramsgate Order.

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Ramsgate, being the Urban Sanitary Authority for that Borough ; —
And to all others whom it may concern.

10 WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Ramsgate, acting by the Council, as the Urban Sanitary Authority for that Borough (herein-after referred to as "the Corporation"), require to purchase and take the lands described in the Schedule hereto for the purpose of widening and improving York Street and Harbour Street, in the said Borough :

15 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

38 & 39 Vict.
c. 55.

20 Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, and for the purpose aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Ramsgate Order, 1894.

The SCHEDULE above referred to.

Borough of RAMSGATE.

25 Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
30 1	Public-house, yard, offices, and premises known as the "Admiral Harvey" Inn.	Tomson and Wotton, Limited.	James Arnold Clarke.	James Arnold Clarke.
35 2	House, yard, offices, and premises known as No. 51, Harbour Street.	John Barnet Hodgson and George Tunbridge.	Thomas Wigglesworth.	Thomas Wigglesworth.

Given under the Seal of Office of the Local Government Board, this Twenty-sixth day of April, One thousand eight hundred and ninety-four.

(l.s.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

40

A.D. 1894.

*Redruth
Order.*

LOCAL GOVERNMENT DISTRICT OF REDRUTH.

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Redruth to put in force the Compulsory
Clauses of the Lands Clauses Acts.*

To the Redruth Local Board, being the Sanitary Authority for the Urban 5
Sanitary District of Redruth, in the County of Cornwall ; —

And to all others whom it may concern.

WHEREAS the Redruth Local Board, as the Sanitary Authority for the
Urban Sanitary District of Redruth, in the County of Cornwall (herein-after
referred to as "the Local Board"), require to purchase and take the lands 10
described in the Schedule hereto for the construction of works for the supply of
water to their District :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other .
Statutes in that behalf, do hereby Order that, from and after the date of the 15
Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference
to the lands described in the Schedule hereto, subject to the continuance of any
existing public rights of highway, and for the purpose aforesaid, the powers of 20
the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Redruth Order, 1894.

The SCHEDULE above referred to.

A.D. 1894.

Redruth
Order.

County of CORNWALL.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5				
		Parish of REDRUTH.		
1	Field - - -	Charles Henry Rolle, Baron Clinton, Lord Clinton.	William Wales -	William Wales.
10	2	Occupation road -	ditto - - -	— — —
	3	Part of field - -	ditto - - -	William James - Samuel Oats.
	4	Field - - -	ditto - - -	John Henry Thomas, Joseph Luke. James Trinniman, William Trinniman.
15	5	Part of field - -	ditto - - -	ditto - - - ditto.
		Parish of GWENNAP.		
	6	Field, part of -	Edmund Beauchamp Beauchamp, Thomas Roxburgh Polwhele, Sir Arthur Clay, Baronet, Flora Polkinghorne Pascoe, Maud Polkinghorne Pascoe, William Henry Harris Hartley.	Philip Bray - Philip Bray.
20				
25				

Given under the Seal of Office of the Local Government Board, this
Twenty-eighth day of April, One thousand eight hundred and
ninety-four.

30 (l.s.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 8).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board
relating to the Urban Sanitary Dis-
tricts of Gosport and Alverstoke,
Harrow, Ilfracombe, Norwich, Ram-
gate, and Redruth.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
4 May 1894.

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[Bill 220.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Acton, Chiswick and Hanwell, the Chorley, the Fulstone and Hepworth, the Leigh, and the Pontefract Joint Hospital Districts. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

10 1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 9) Act, 1894. Short title.

A.D. 1894.

*Acton,
Chiswick,
and Hanwell
Order.*SCHEDULE.ACTON, CHISWICK, AND HANWELL JOINT HOSPITAL
DISTRICT.*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.* 5To the Acton Local Board, being the Sanitary Authority for the Urban
Sanitary District of Acton, in the County of Middlesex ; —To the Chiswick Local Board, being the Sanitary Authority for the Urban
Sanitary District of Chiswick, in the said County ; —To the Hanwell Local Board, being the Sanitary Authority for the Urban 10
Sanitary District of Hanwell, in the said County ; —

And to all others whom it may concern.

38 & 39 Vict.
c. 55.WHEREAS the several Sanitary Authorities named in column 2 of the
Schedule to this Order (herein-after referred to as "the Schedule") are the
Local Authorities within the meaning of the Public Health Act, 1875 (herein- 15
after referred to as "the Act"), for the several Urban Sanitary Districts
named in column 1 of the Schedule :Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 279 of the Act, and by any other Statutes in that behalf,
do hereby Order as follows ; viz.,— 20Art. I. This Order shall come into operation on the date of the Act of
Parliament confirming the same (herein-after referred to as "the appointed
day").Art. II. The Urban Sanitary Districts named in column 1 of the Schedule
(which Districts are herein-after referred to as "the Constituent Districts") 25
shall be formed into a United District, to be called the Acton, Chiswick, and
Hanwell Joint Hospital District, for the purposes of the provision, maintenance,
and management, for the use of the inhabitants of the Constituent Districts, of
a hospital or hospitals for the reception of cases of infectious diseases.Art. III. The Joint Board, which shall be the governing body of the said 30
United District, shall consist of three ex-officio and nine elective members, and
shall be called the Acton, Chiswick, and Hanwell Joint Hospital Board (herein-
after referred to as "the Joint Board").Art. IV. The ex-officio members shall be the persons described in column 3 of
the Schedule, and the elective members shall be elected by the several Sanitary 35
Authorities mentioned in column 2 of the Schedule (herein-after referred to as
"the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the Schedule, and the said members shall be chosen by the members of each of the Constituent Authorities from among the
5 members of its own body.

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Acton,
Chiswick,
and Hanwell
Order.

Art. VI. The provisions of Rules 5 and 64 of Schedule II. to the Act, and of Section 4 of the Public Health (Members and Officers) Act, 1885, shall, mutatis mutandis, apply to members of the Joint Board.

38 & 39 Vict.
c. 55.
48 & 49 Vict.
c. 53.

Art. VII. The first election of members of the Joint Board shall take place at
10 a meeting of each of the Constituent Authorities, to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

15 Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office
20 until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

25 Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation, or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be
30 re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six
35 weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of
40 the person elected to fill such vacancy.

Art. XI. The first meeting of the Joint Board shall be held at the offices of the Acton Local Board, on such date and at such time as may be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and
45 at all meetings of the Joint Board five members shall constitute a quorum :

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

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*Acton,
Chiswick,
and Hanwell
Order.*

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct. 5

Art. XII. The Joint Board shall, at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period not exceeding three years, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure. 10 15

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts. 20

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,— 25

- a. By an order of the Joint Board or of any of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of any of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section: 30

Provided that if the Guardians of the Poor of the Brentford Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe. 35

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,— 40

Of the Act:—

Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.

Sections 173 and 174 (except sub-section 3), relating to contracts. 45

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

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Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to officers and conduct of business of Local Authorities.

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Chiswick,
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Order.

5

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.

Sections 251, 253, 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

10

Section 285, relating to the execution of works.

Section 298, as to costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

47 & 48 Vict.
c. 74.

Of the Public Health (Officers) Act, 1884:—

Section 2.

Of the Public Health (Members and Officers) Act, 1885:—

48 & 49 Vict.
c. 53.

15

Section 2.

Art. XVI. The Joint Board shall, for the purpose of the sections of the Act, with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as any powers are so conferred, and as any duties are so imposed; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

20

Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

25

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

30

Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

35

(2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the amounts which, at the time of issuing the precepts of the Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate in the nature of a general district rate at an equal rate in the pound.

40

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose Districts the patients have been received into the hospital, shall be ascertained as follows; viz.,—

45

(a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average daily cost per patient of the

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*Acton,
Chiswick,
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Order.*

maintenance of patients who have been in the hospital during the previous half year.

- (b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, except so far as the same shall be included in the salary of the medical officer or medical officers, and in and about the clothing, conveyance to and from the hospital, burials, and funerals of patients; and shall also include the remuneration and rations of nurses. 5

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients, 10 15

(a) the name of each patient,

(b) the number of days during such half year each patient has remained in the hospital, and

(c) the amount (calculated according to the daily average ascertained as aforesaid) due from such Authority. 20

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund. 25

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of any of the Constituent Authorities, or by any officer of any of the Constituent Authorities authorised by them for that purpose, without payment. 30

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XXIII. If at any time any new Urban District is formed, including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order. 35 40

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of 45

the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

Art. XXV. This Order may be cited as the Acton, Chiswick, and Hanwell Joint Hospital Order, 1894.

A.D. 1894.
Acton,
Chiswick,
and Hanwell
Order.

The SCHEDULE above referred to.

1.	2.	3.		4.
		Ex-officio Members.		Elective Members.
Name of District.	Name of Sanitary Authority.	Number.	Description.	Number.
10 The Local Government District of Acton.	The Acton Local Board -	1	The Chairman of the Local Board.	3
The Local Government District of Chiswick.	The Chiswick Local Board -	1	ditto - -	3
15 The Local Government District of Hanwell.	The Hanwell Local Board -	1	ditto - -	3

Given under the Seal of Office of the Local Government Board, this Twelfth day of February, One thousand eight hundred and ninety-four.

20 (L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

CHORLEY JOINT HOSPITAL DISTRICT.

Provisional Order for forming a United District under Section 279 of the Public Health Act, 1875.

Chorley Order.

- 25 To the Mayor, Aldermen, and Burgesses of the Borough of Chorley, being the Urban Sanitary Authority for that Borough ;—
- To the Adlington Local Board, being the Sanitary Authority for the Urban Sanitary District of Adlington, in the County of Lancaster ;—
- 30 To the Leyland Local Board, being the Sanitary Authority for the Urban Sanitary District of Leyland, in the said County ;—
- To the Guardians of the Poor of the Chorley Union, in the said County, being the Sanitary Authority for the Rural Sanitary District of that Union ;—
- And to all others whom it may concern.
- 35 WHEREAS the several Sanitary Authorities named in column 2 of Schedules A. and B. to this Order (herein-after respectively referred to as

A.D. 1894.

*Chorley
Order.*38 & 39 Vict.
c. 55.

"Schedule A." and "Schedule B," and jointly as "the Schedules") are the Local Authorities within the meaning of the Public Health Act, 1875 (hereinafter referred to as "the Act"), for the several Urban Sanitary Districts and the Rural Sanitary District named in column 1 of the Schedules:

Now therefore, We, the Local Government Board, in pursuance of the powers 5 given to Us by Section 279 of the Act, and by any other Statutes in that behalf, do hereby Order as follows; viz.,—

Art. I. This Order shall come into operation on the First day of December, One thousand eight hundred and ninety-four (hereinafter referred to as "the appointed day"). 10

Art. II. The Urban Sanitary Districts named in column 1 of Schedule A. and the Rural Sanitary District named in column 1 of Schedule B. (all of which Districts are herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Chorley Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of 15 the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases.

Art. III. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and ten elective members, and shall be called the Chorley Joint Hospital Board (hereinafter referred to 20 as "the Joint Board").

Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedules, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the Schedules (hereinafter referred to as "the Constituent Authorities"). 25

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the Schedules, and the said members shall be chosen by each of the Constituent Authorities from among its own members.

Art. VI. Such of the provisions of Section 46 of the Local Government Act, 30 1894, as relate to members of Councils of Districts other than boroughs shall, mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities to be held within six weeks from the appointed day, or within such further time as the Local Government 35 Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first 40 election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent 45 Authority as a member of which he was qualified to be elected, or otherwise

56 & 57 Vict.
c. 73.

becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen : A.D. 1894.

*Chorley
Order.*

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

- 10 Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

- 20 Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum :

- 25 (2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

(3.) Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

- 30 (4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

- 35 (5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval: Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions, or to enter into any contract, and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act, 1894, so far as they are applicable.

56 & 57 Vict.
c. 73.

- 45 Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding three years, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers

A.D. 1894.

*Chorley
Order.*

and servants as they think requisite. The Joint Board may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

5

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or of any of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of any of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section.

15

Provided that if the Guardians of the Poor of the Chorley Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

20

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,—

25

Of the Act :—

Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.

30

Sections 173 and 174 (except sub-section 3), relating to contracts.

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Sections 192 to 197, both inclusive, and Sections 205 and 206, relating to officers and conduct of business of Local Authorities.

35

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269 as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

40

Section 298, as to costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

Of the Public Health (Officers) Act, 1884 :—

Section 2.

45

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

A.D. 1894.

*Chorley
Order.*47 & 48 Vict.
c. 74.
48 & 49 Vict.
c. 53.

Art. XVI. The Joint Board shall, for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as
5 regards any powers so conferred, and any duties so imposed; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

10 Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

15 Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as
20 herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

(2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent
25 District, such number to be ascertained from the report on the census made under the authority of Parliament last before the time of issuing the precepts for obtaining payment of the several contributions.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose Districts the patients have been received into
30 the hospital, shall be ascertained as follows; viz,—

(a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average daily cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

35 (b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment (except so far as the same shall be included in the salary of the medical officer or medical officers), and in and about the clothing, conveyance to and from the
40 hospital, burials, and funerals of patients; and shall also include the remuneration and rations of nurses.

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the

A.D. 1894.

*Chorley
Order.*

hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,—

- (a) the name of each patient,
- (b) the number of days during such half-year each patient has remained in the hospital, and
- (c) the amount (calculated according to the daily average ascertained as aforesaid) due from such Authority.

5

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund.

10

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of any of the Constituent Authorities, or by any officer of any of the Constituent Authorities authorised by them for that purpose, without payment.

15

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

20

Art. XXIII. If at any time any new urban district is formed, including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alterations so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

25

30

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

35

Art. XXV. This Order may be cited as the Chorley Joint Hospital Order, 1894.

The SCHEDULES above referred to.

A.D. 1894.

*Chorley
Order.*

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.		4.
		Ex-officio Members.		Elective Members.
Name of District.	Name of Sanitary Authority.	Number.	Description.	Number.
5 The Borough of Chorley	The Mayor, Aldermen, and Burgesses of the Borough of Chorley, acting by the Council.	1	The Mayor	4
10 The Local Government District of Adlington.		—	- - -	1
15 The Local Government District of Leyland.	The Leyland Local Board	-	- - -	2

SCHEDULE B.

RURAL SANITARY DISTRICT.

1.	2.	3.		4.
		Ex-officio Member.		Elective Members.
Name of District.	Name of Sanitary Authority.	Number.	Description.	Number.
20 The Rural Sanitary District of the Chorley Union.	The Guardians of the Poor of the Chorley Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also the ex-officio member mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	3
25				
30				

Given under the Seal of Office of the Local Government Board, this
Third day of May, One thousand eight hundred and ninety-four.

35 (L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

*Fulstone and
Hepworth
Order.*FULSTONE AND HEPWORTH JOINT HOSPITAL
DISTRICT.—*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

To the Fulstone Local Board, being the Sanitary Authority for the Urban
Sanitary District of Fulstone, in the County of the West Riding of
Yorkshire ;—

To the Hepworth Local Board, being the Sanitary Authority for the Urban
Sanitary District of Hepworth, in the said County ;—

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of the
Schedule to this Order (herein-after referred to as “the Schedule”) are the
Local Authorities within the meaning of the Public Health Act, 1875 (herein-
after referred to as “the Act”), for the several Urban Sanitary Districts named
in column 1 of the Schedule :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 279 of the Act, and by any other Statutes in that behalf,
do hereby Order as follows ; viz,—

Art. I. This Order shall come into operation on the First day of December,
One thousand eight hundred and ninety-four (herein-after referred to as “the
appointed day”).

Art. II. The Urban Sanitary Districts named in column 1 of the Schedule
(which Districts are herein-after referred to as “the Constituent Districts”)
shall be formed into a United District, to be called the Fulstone and Hepworth
Joint Hospital District, for the purposes of the provision, maintenance, and
management, for the use of the inhabitants of the Constituent Districts, of a
hospital or hospitals for the reception of cases of infectious diseases.

Art. III. The Joint Board, which shall be the governing body of the said
United District, shall consist of two ex-officio and seven elective members, and
shall be called the Fulstone and Hepworth Joint Hospital Board (herein-after
referred to as “the Joint Board”).

Art. IV. The ex-officio members shall be the persons described in column 3 of
the Schedule, and the elective members shall be elected by the several Sanitary
Authorities mentioned in column 2 of the Schedule (herein-after referred to as
“the Constituent Authorities”).

Art. V. The number of members of the Joint Board to be elected by each
of the Constituent Authorities shall be that set opposite to the name of each of
such Authorities in column 4 of the Schedule, and the said members shall be
chosen by the members of each of the Constituent Authorities from among the
members of its own body.

56 & 57 Vict.
c. 73.

Art. VI. Such of the provisions of Section 46 of the Local Government Act,
1894, as relate to members of councils of districts other than boroughs shall,
mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board shall take place at
a meeting of each of the Constituent Authorities to be held within six weeks from

the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

A.D. 1894.

*Fulstone and
Hepworth
Order.*

5 Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

10 Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

15 Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

20 Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person
30 elected to fill such vacancy.

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint ; and at all meetings of the Joint Board three members
35 shall constitute a quorum.

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

(3.) Such requisition shall be in writing, and no business other than that
40 specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

45 (5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts

A.D. 1894.
Fulstone and
Hepworth
Order.

56 & 57 Vict.
c. 73.

of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval: Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions, or to enter into any contract, and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act, 1894, 5 so far as they are applicable.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding three years, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. The Joint Board may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure. 10 15

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts. 20

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,— 25

- a. By an order of the Joint Board or of either of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of either of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section: 30

Provided that if the Guardians of the Poor of the Huddersfield Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe. 35

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,— 40

Of the Act:—

Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.

Sections 173 and 174 (except sub-section 3), relating to contracts. 45

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Sections 192 to 197, both inclusive, and Sections 205 and 206, relating to officers and conduct of business of Local Authorities. A.D. 1894.

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250 relating to audit. *Fulstone and Hepworth Order.*

- 5 Sections 251, 253, 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 298, as to costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

- 10 Of the Public Health (Officers) Act, 1884 :—
Section 2.

47 & 48 Vict.
c. 74.

Of the Public Health (Members and Officers) Act, 1885 :—
Section 2.

48 & 49 Vict.
c. 53.

- 15 Art. XVI. The Joint Board shall, for the purpose of the sections of the Act, with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections to confer powers and to impose duties on the Joint Board, and so far as regards any powers so conferred, and any duties so imposed; but nothing in this Order contained shall prevent the Local Government Board from imposing any
20 duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

- 25 Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

- 30 Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

- 35 (2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the amounts which, at the time of issuing the precepts of the Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate in the nature of
40 a general district rate in the said Urban Sanitary Districts at an equal rate in the pound.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose Districts the patients have been received into the hospital, shall be ascertained as follows; viz.,—

- 45 (a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average weekly cost per patient of the

A.D. 1894.

*Fulstone and
Hepworth
Order.*

maintenance of patients who have been in the hospital during the previous half-year.

- (b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, (except so far as the same shall be included in the salary of the medical officer or medical officers), and in and about the clothing, conveyance to and from the hospital, burials, and funerals of patients; and shall also include the remuneration and rations of nurses. 5

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,— 15

- (a) the name of each patient ;
(b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital ; and
(c) the amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority. 20

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District ; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund. 25

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment. 30

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities. 35

Art. XXIII. If at any time any new urban district is formed, including the whole or any part of either of the Constituent Districts, or the boundaries of either of the Constituent Districts are otherwise altered, or the whole of either of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order. 40 45

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand,

or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to, and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

A.D. 1894.
—
*Fulstone and
Hepworth
Order.*

5 Art. XXV. This Order may be cited as the Fulstone and Hepworth Joint Hospital Order, 1894.

The SCHEDULE above referred to.

10	1.	2.	3.		4.
	Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
			Number.	Description.	Number.
15	The Local Government District of Fulstone.	The Fulstone Local Board.	1	The Chairman of the Local Board.	4
	The Local Government District of Hepworth.	The Hepworth Local Board.	1	ditto	3

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of April, One thousand eight hundred and ninety-
four.

(L.S.) G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

LEIGH JOINT HOSPITAL DISTRICT.

*Leigh
Order.*

*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

- To the Atherton Local Board, being the Sanitary Authority for the Urban Sanitary District of Atherton, in the County of Lancaster ;—
- To the Leigh Local Board, being the Sanitary Authority for the Urban Sanitary District of Leigh, in the said County ;—
- To the Tyldesley-with-Shakerley Local Board, being the Sanitary Authority for the Urban Sanitary District of Tyldesley-with-Shakerley, in the said County ;—
- To the Guardians of the Poor of the Leigh Union, in the said County, being the Sanitary Authority for the Rural Sanitary District of that Union ;—
- And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of Schedules A. and B. to this Order (herein-after respectively referred to as "Schedule A." and "Schedule B.," and jointly as "the Schedules,") are the

[222.] C 2

A.D. 1894.

*Leigh
Order.*38 & 39 Vict.
c. 55.

Local Authorities within the meaning of the Public Health Act, 1875 (herein-after referred to as "the Act"), for the several Urban Sanitary Districts and the Rural Sanitary District named in column 1 of the Schedules:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf, 5
do hereby Order as follows ; viz,—

Art. I. This Order shall come into operation on the First day of December, One thousand eight hundred and ninety-four (herein-after referred to as "the appointed day").

Art. II. The Urban Sanitary Districts named in column 1 of Schedule A. 10
and the Rural Sanitary District named in column 1 of Schedule B. (all of which Districts are herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Leigh Joint Hospital District, for the purposes of the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases. 15

Art. III. The Joint Board, which shall be the governing body of the said United District, shall consist of four ex-officio and twelve elective members, and shall be called the Leigh Joint Hospital Board (herein-after referred to as "the Joint Board").

Art. IV. The ex-officio members shall be the persons described in column 3 20
of the Schedules, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the Schedules (herein-after referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of 25
such Authorities in column 4 of the Schedules, and the said members shall be chosen by the members of each of the Constituent Authorities from among its own members.

56 & 57 Vict.
c. 73.

Art. VI. Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to Members of Councils of Districts other than boroughs, shall, 30
mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting 35
shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the 40
persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise 45

becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

A.D. 1894.

*Leigh
Order.*

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation, or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of such Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint ; and at all meetings of the Joint Board five members shall constitute a quorum :

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

(3.) Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

(5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval : Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract, and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act, 1894, so far as they are applicable.

56 & 57 Vict.
c. 73.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding three years, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical

A.D. 1894.

*Leigh
Order.*

officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. The Joint Board may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases.

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or of any of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of any of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section:

Provided that if the Guardians of the Poor of the Leigh Union and the Joint Board agree for the reception into a hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,—

38 & 39 Vict.
c. 55.

- Of the Act:—
- Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.
 - Sections 173 and 174 (except sub-section 3), relating to contracts.
 - Sections 175, 176, and 177, relating to purchase of lands.
 - Sections 179 to 181, both inclusive, relating to arbitration.
 - Sections 192 to 197, both inclusive, and Sections 205 and 206, relating to officers and conduct of business of Local Authorities.
 - Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.
 - Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.
 - Section 298 as to costs of Provisional Orders.
 - Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

47 & 48 Vict.
c. 74.

Of the Public Health (Officers) Act, 1884:—

Section 2.

48 & 49 Vict.
c. 53.

Of the Public Health (Members and Officers) Act, 1885:—

Section 2.

A.D. 1894.

*Leigh
Order.*

Art. XVI. The Joint Board shall, for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as regards any powers so conferred and any duties so imposed ; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.

Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

(2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent District, such number to be ascertained from the report on the Census made under the authority of Parliament last before the time of issuing the precepts for obtaining payment of the several contributions.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose District the patients have been received into the hospital, shall be ascertained as follows ; viz.,—

(a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average daily cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment (except so far as the same shall be included in the salary of the medical officer or medical officers), and in and about the clothing, conveyance to and from the hospital, burials, and funerals of patients ; and shall also include the remuneration and rations of nurses.

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the

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*Leigh
Order.*

hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,

(a) the name of each patient,

(b) the number of days during such half-year each patient has remained in the hospital, and

(c) the amount (calculated according to the daily average ascertained as aforesaid) due from such Authority.

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund.

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of any of the Constituent Authorities, or by any officer of any of the Constituent Authorities authorised by them for that purpose, without payment.

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XXIII. If at any time any new Urban District is formed including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a Municipal Borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alterations so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

Art. XXV. This Order may be cited as the Leigh Joint Hospital Order, 1894.

The SCHEDULES above referred to.

A.D. 1894.

*Leigh
Order.*

SCHEDULE A.

URBAN SANITARY DISTRICTS.

	1.	2.	3.	4.	
5	Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
			Number.	Description.	Number.
10	The Local Government District of Atherton.	The Atherton Local Board	1	The Chairman of the Local Board.	3
	The Local Government District of Leigh.	The Leigh Local Board	1	ditto - -	5
	The Local Government District of Tyldesley-with-Shakerley.	The Tyldesley-with-Shakerley Local Board.	1	ditto - -	2

SCHEDULE B.

RURAL SANITARY DISTRICT.

	1.	2.	3.	4.	
	Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
			Number.	Description.	Number.
20					
	The Rural Sanitary District of the Leigh Union.	The Guardians of the Poor of the Leigh Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also one of the ex-officio members mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	2
25					
30					

35 Given under the Seal of Office of the Local Government Board, this
 Thirtieth day of April, One thousand eight hundred and ninety-
 four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

PONTEFRACT JOINT HOSPITAL DISTRICT.

*Pontefract
Order.**Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

To the Mayor, Aldermen, and Burgesses of the Borough of Pontefract,
being the Urban Sanitary Authority for that Borough ; — 5

To the Knottingley Local Board, being the Sanitary Authority for the
Urban Sanitary District of Knottingley, in the County of the West
Riding of Yorkshire ; —

To the Guardians of the Poor of the Pontefract Union, in the said County,
being the Sanitary Authority for the Rural Sanitary District of that
Union ; — 10

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of the
Schedules A. and B. to this Order (herein-after respectively referred to as
"Schedule A." and "Schedule B.," and jointly as "the Schedules") are the 15
Local Authorities within the meaning of the Public Health Act, 1875 (herein-
after referred to as "the Act"), for the several Urban Sanitary Districts and the
Rural Sanitary District named in column 1 of the Schedules :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 279 of the Act, and by any other Statutes in that behalf, 20
do hereby Order as follows ; viz.,—

Art. I. This Order shall come into operation on the First day of December,
One thousand eight hundred and ninety-four (herein-after referred to as "the
appointed day").

Art. II. The Urban Sanitary Districts named in column 1 of Schedule A. and 25
the Rural Sanitary District named in column 1 of Schedule B. (all of which
Districts are herein-after referred to as "the Constituent Districts") shall be
formed into a United District, to be called the Pontefract Joint Hospital District,
for the purposes of the provision, maintenance, and management, for the use
of the inhabitants of the Constituent Districts, of a hospital or hospitals for the 30
reception of cases of infectious diseases.

Art. III. The Joint Board, which shall be the governing body of the said
United District, shall consist of three ex-officio and eight elective members, and
shall be called the Pontefract Joint Hospital Board (herein-after referred to as
"the Joint Board"). 35

Art. IV. The ex-officio members shall be the persons described in column 3
of the Schedules, and the elective members shall be elected by the several
Sanitary Authorities mentioned in column 2 of the Schedules (herein-after
referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each 40
of the Constituent Authorities shall be that set opposite to the name of each of
such Authorities in column 4 of the Schedules, and the said members shall
be chosen by the members of each of the Constituent Authorities from among
the members of its own body.

Art. VI. Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to members of Councils of Districts other than boroughs, shall, *mutatis mutandis*, apply to members of the Joint Board.

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Pontefract
Order.56 & 57 Viet.
c. 73.

5 Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

10 Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

15 Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

20 Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

25 Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and
35 occupation of the person elected to fill such vacancy.

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board three members
40 shall constitute a quorum :

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

(3.) Such requisition shall be in writing, and no business other than that
45 specified in the requisition shall be transacted at such extraordinary meeting.

A.D. 1894.

*Pontefract
Order.*

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

(5.) The Joint Board may from time to time appoint committees consisting 5
of members of the Joint Board for the exercise of any powers which, in the
opinion of the Joint Board, can be properly exercised by committees, but the
acts of every such committee shall, unless otherwise directed by the Joint Board,
be submitted to the Joint Board for approval: Provided that a committee so
appointed shall in no case be authorised to borrow money or to issue any precept 10
for contributions, or to enter into any contract, and it shall be subject to the
provisions of Part IV. of the First Schedule to the Local Government Act,
1894, so far as they are applicable.

56 & 57 Vict.
c. 73.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment
thereof, and from time to time thereafter as occasion shall require, appoint a 15
chairman (who shall, subject to the provisions of Articles VI. and IX. of this
Order, continue chairman for such period, not exceeding three years, as may be
determined by the Joint Board at the time of his appointment), a treasurer,
and a clerk, and they may from time to time appoint one or more medical 20
officers who shall be registered medical practitioners, and such other officers and
servants as they think requisite. The Joint Board may pay their treasurer, clerk,
medical officers, and other officers and servants such reasonable remuneration
as they shall deem expedient; and every such treasurer, clerk, medical officer,
and other officer and servant shall be removable by the Joint Board at their
pleasure. 25

Art. XIII. The purposes for which the United District is formed are the pro-
vision, maintenance, and management of a hospital or hospitals for the reception
of cases of infectious diseases, for the use of the inhabitants of the Constituent
Districts.

Art. XIV. Persons shall be admitted into a hospital provided by the Joint 30
Board in any of the following modes, and not otherwise, except with the consent
of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or of any of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of any of the Constituent 35
Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the
Act, with the consent required by that section:

Provided that if the Guardians of the Poor of the Pontefract Union and the
Joint Board agree for the reception into the hospital of persons in the receipt of 40
relief from the said Guardians, any such person may be admitted into the hospital
in such manner as such agreement shall prescribe.

Art. XV. For the purposes of this Order the following sections of the Act, the
Public Health (Officers) Act, 1884, and the Public Health (Members and
Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, 45
perform, and be subject to, all the powers, rights, duties, capacities, liabilities,

and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz,—

Of the Act :—

*Pontefract
Order.*

38 & 39 Viet.
c. 55.

- 5 Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.
- Sections 173 and 174 (except sub-section 3), relating to contracts.
- Sections 175, 176, and 177, relating to purchase of lands.
- Sections 179 to 181, both inclusive, relating to arbitration.
- 10 Sections 192 to 197, both inclusive, and Sections 205 and 206, relating to officers and conduct of business of Local Authorities.
- Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.
- Sections 251, 253, 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating
- 15 to legal proceedings.
- Section 298, as to costs of Provisional Orders.
- Sections 306 to 309, both inclusive, relating to miscellaneous provisions.
- Of the Public Health (Officers) Act, 1884 :—
- Section 2.
- 20 Of the Public Health (Members and Officers) Act, 1885 :—
- Section 2.

47 & 48 Viet.
c. 74.

48 & 49 Viet.
c. 53.

- Art. XVI. The Joint Board shall, for the purpose of the sections of the Act, with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations
- 25 under those sections, to confer powers and to impose duties on the Joint Board, and so far as regards any powers so conferred, and any duties so imposed; but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the
- 30 same may be required to be exercised in pursuance of such regulations.

- Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of
- 35 their District.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

- Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from
- 40 the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

- (2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent
- 45 District, exclusive of the persons enumerated in barracks and workhouses, such

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Order

number to be ascertained from the report on the census made under the authority of Parliament last before the time of issuing the precepts for obtaining payment of the several contributions.

Art. XX.—(1.) The cost of maintenance of patients, to be paid by the Constituent Authorities from whose Districts the patients have been received into the hospital, shall be ascertained as follows; viz.,—

- (a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year. 10
- (b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment (except so far as the same shall be included in the salary of the medical officer or medical officers and permanent nurses), and in and about the clothing, conveyance to and from the hospital, 15 burials, and funerals of patients; and shall also include all expenses incurred, during any week in which a patient or patients may have been in the hospital, in or about the warming, cleansing, and lighting the hospital, and otherwise keeping it fit for use, and shall also include during such week the remuneration and rations of temporary nurses; but shall not include 20 the cost of the repairs to the hospital, or to the fittings and furniture thereof, or the salaries, remuneration, or rations of the officers or servants other than temporary nurses.

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,—

- (a) the name of each patient; 30
- (b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital; and
- (c) the amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority. 35

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund. 40

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of any of the Constituent Authorities, or by any officer of any of the Constituent Authorities authorised 45 by them for that purpose, without payment.

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

A.D. 1891.
—
Pontefract
Order.

Art. XXIII. If at any time any new urban district is formed, including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

Art. XXV. This Order may be cited as the Pontefract Joint Hospital Order, 1894.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.		4.
		Ex-officio Members.		Elective Members.
Name of District.	Name of Sanitary Authority.	Number.	Description.	Number.
The Borough of Pontefract -	The Mayor, Aldermen, and Burgesses of the Borough of Pontefract acting by the Council.	1	The Mayor -	3
The Local Government District of Knottingley.	The Knottingley Local Board.	1	The Chairman of the Local Board.	2

A.D. 1894.
Pontefract
Order.

SCHEDULE B.

RURAL SANITARY DISTRICT.

1.	2.	3.		4.	
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.	5
		Number.	Description.	Number.	
The Rural Sanitary District of the Pontefract Union.	The Guardians of the Poor of the Pontefract Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also one of the ex-officio members mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	3	
					10
					15

Given under the Seal of Office of the Local Government Board, this
Fourth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President. 20
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 9).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Acton, Chiswick, and Hanwell, the Chorley, the Fulstone and Hepworth, the Leigh, and the Pontefract Joint Hospital Districts.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
7 May 1894.

PRINTED BY EYRE AND SPOTTISWOODE,
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[*Price 3½d.*]

[Bill 222.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Urban Sanitary Districts
of Abram, Stevenage, Stockport, and Wilsden.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament, and that the provisions herein contained
should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
10 and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall,
subject to the provisions of this Act, have full validity and force.

Orders
in schedule
confirmed.

2. The sanitary authorities mentioned in the Orders relating to
15 the Urban Sanitary Districts of Abram, Stevenage, and Wilsden
hereby confirmed, shall not purchase or acquire, either compulsorily
or by agreement, in any city, borough, or other urban sanitary
district, or in any parish or part of a parish not being within an
urban sanitary district, ten or more houses included in the schedules
20 to those Orders which on the fifteenth day of December last were
occupied either wholly or partially by persons belonging to the
labouring class as tenants or lodgers, or except with the consent of
the Local Government Board ten or more houses which were not
so occupied on the said fifteenth day of December but have been or
25 shall be subsequently so occupied.

Restriction
of power to
take houses
of labouring
class.

[Bill 228.]

A

A.D. 1894.

3. The following provisions shall apply to the sanitary authority for the urban sanitary district of Stockport:—

- (1.) The sanitary authority shall not purchase or acquire, either compulsorily or by agreement, in the district ten or more houses included in the schedule to the Stockport Order (No. 2), 1894, which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—
 - (a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and
 - (b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.
- (2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.
- (3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may see fit.
- (4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may

A.D. 1894.

have approved of any scheme, or of any modifications of any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act or of the Stockport Order (No. 2), 1894, in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act, 1875, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection, subject to such conditions, if any, as they may see fit.

(7.) The sanitary authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the services of such inspector.

A.D. 1894.

Definition
of labouring
class.

4. For the purposes of sections two and three of this Act the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, 5 other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

5. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 10) Act, 1894.

10

SCHEDULE.

A.D. 1894.

LOCAL GOVERNMENT DISTRICT OF ABRAM.

*Abram
Order.*

*Provisional Order to enable the Sanitary Authority for the Urban
Sanitary District of Abram to put in force the Compulsory
5 Clauses of the Lands Clauses Acts.*

To the Abram Local Board, being the Sanitary Authority for the Urban
Sanitary District of Abram, in the County of Lancaster ; —

And to all others whom it may concern.

WHEREAS the Abram Local Board, as the Sanitary Authority for the
10 Urban Sanitary District of Abram, in the County of Lancaster (herein-after
referred to as “the Local Board”), require to purchase and take the lands
described in the Schedule hereto for the following purposes ; viz.,—

1. The lands described in Part I. of the said Schedule for the disposal of the
sewage of their District, and for providing access to such lands.
- 15 2. The lands described in Part II. of the said Schedule for the construction of
a new street in their District :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
20 Act of Parliament confirming this Order, the following provisions shall have
effect ; viz.,—

38 & 39 Vict.
c. 55.

Art. I. The Local Board shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, subject to the continuance of any
existing public rights of highway, and for the purposes aforesaid, the powers of
25 the Lands Clauses Acts with respect to the purchase and taking of lands
otherwise than by agreement, or any of them :

A.D. 1894.

*Abram
Order.*

Provided that, as regards the lands numbered 2 and 3 on the deposited plans and referred to in Part I. of the said Schedule, the powers conferred by this Order shall be exercised by the Local Board only as regards so much of those lands as is coloured green on two plans sealed with Our official seal, one of which is deposited in Our office, and the other of which is deposited in the office of the Local Board.

Art. II. This Order may be cited as the Abram Order, 1894.

The SCHEDULE above referred to.

Township of ABRAM, in the County of LANCASTER.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
		PART I.		10
2	Field, watercourse, and half the bed of Hey Brook.	The Trustees of Nathaniel Eckersley, deceased, viz., Elizabeth Eckersley, James Carlton Eckersley, and Nathaniel Farington Eckersley.	Alice Howard.	15
3	Field, farm road, watercourse, and ponds.	ditto - - -	ditto.	20
6	Field - - -	ditto - - -	ditto.	
7	Field and pond - -	ditto - - -	ditto.	
8	Occupation road and public footpath.	ditto - - -	ditto.	25
8A	Stack-yard - - -	ditto - - -	ditto.	
9	Field and public footpath -	ditto - - -	ditto.	
11	Canal, towing-path, turn-bridge, telegraph poles and wires, and public footpath.	Leeds and Liverpool Canal Company, Her Majesty's Postmaster General.	Leeds and Liverpool Canal Company, Her Majesty's Postmaster General, Alice Howard.	30
		PART II.		
12	Field, occupation road, and public footpath.	The Trustees of Nathaniel Eckersley, deceased, viz., Elizabeth Eckersley, James Carlton Eckersley, and Nathaniel Farington Eckersley.	William Roberts.	35
13	Field - - -	ditto - - -	ditto.	

A.D. 1894.

Abram
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
5	14	Field, occupation road, and public footpath.	The Trustees of the Presbyterian Chapel, Cockey Moor, Ainsworth, near Bolton, viz., George Stephen Woolley, Frank Taylor, John Greenhalgh, John Kirkman, Jesse Hilton Hayes, Thomas Holt, Adam Greenhalgh, William Henry Brooks, and Robert Lever Kirkman, the Official Trustee of Charity Lands.	Thomas Burns, the younger.
10				
15	15	Field - - -	ditto - - -	ditto.
	15A	Croft - - -	ditto - - -	ditto.
	15B	Field - - -	ditto - - -	ditto.
20	16	ditto - - -	Humphrey Jeffrey Walmesley	Thomas Burns, the elder.
	17	Field and pond - - -	ditto - - -	ditto.
	18	Field and ponds - - -	ditto - - -	ditto.
	19	Field - - -	ditto - - -	ditto.
	20	ditto - - -	ditto - - -	ditto.
25	21	ditto - - -	ditto - - -	ditto.
	22	ditto - - -	ditto - - -	ditto.
	23	Farmyard and buildings -	ditto - - -	ditto.
	24	Garden and orchard -	ditto - - -	ditto.
30	25	Occupation road called Lee Lane, otherwise Crankwood Road, and public footpath.	ditto - - -	Humphrey Jeffrey Walmesley, Thomas Burns, the elder, Thomas Burns, the younger, John Holmes, William Roberts.
35	26	Plot of land and public footpath.	William Henry Marsden -	William Higson.
	27	Field and farm road -	ditto - - -	ditto.
	28	Occupation road called Lee Lane, otherwise Crankwood Road, and public footpath.	ditto - - -	Humphrey Jeffrey Walmesley, William Henry Marsden, Thomas Burns, the elder, Thomas Burns, the younger, John Holmes, William Roberts, William Higson.
40				
45	29	Field - - -	Charles Edward Leigh Wright.	Joseph Davies.
	30	ditto - - -	ditto - - -	ditto.
	31	ditto - - -	ditto - - -	ditto.
	32	Orchard - - -	ditto - - -	ditto.
	33	Dwelling-house and garden	ditto - - -	ditto.

A.D. 1894.

Abram
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
34	Farmyard and farm buildings.	Charles Edward Leigh Wright.	Joseph Davies.	5
35	Shippon and barn - - -	ditto - - - -	ditto.	
36	Stack-yard - - - -	ditto - - - -	ditto.	
37	Strip of pasture land and pond.	ditto - - - -	ditto.	
38	Strip of pasture land and manure yard.	ditto - - - -	ditto.	10
39	Small field or croft - - -	ditto - - - -	ditto.	
40	Occupation road, called Lee Lane, otherwise Crankwood Road, and public footpath.	ditto - - - -	Humphrey Jeffrey Walmesley, William Henry Marsden, Charles Edward Leigh Wright, Thomas Burns, the elder, Thomas Burns, the younger, John Holmes, William Roberts, William Higson, Joseph Davies, the Trustee of Thomas Morris, deceased, viz., John Sutherland Harwood Banner; William Hodson.	15 20 25
41	Field - - - -	The Trustee under the Will and Codicils of Thomas Morris, deceased, viz., John Sutherland Harwood Banner.	William Hodson.	30
41A	ditto - - - -	ditto - - - -	ditto.	
42	Field and pond - - - -	ditto - - - -	ditto.	
42A	Field - - - -	ditto - - - -	ditto.	
43	Field and pond - - - -	ditto - - - -	ditto.	
44	Farm buildings and farmyard.	ditto - - - -	ditto.	35
45	Garden - - - -	The Trustees of Abraham Ackers, deceased, viz., Thomas Banks, Lewis Voisey, and John Leyland Martlew. Jackson Abraham Ackers.	John Hatton.	40
46	Dwelling-house - - - -	ditto - - - -	ditto.	
47	ditto - - - -	ditto - - - -	Henry Southworth.	
48	Field - - - -	Ann Widdows, Susannah Widdows, and Hannah Young.	William Scotson.	45

A.D. 1894.
Abram
Order

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
5	49 Occupation road, called Lee Lane, otherwise Crankwood Road, and public footpath.	Ann Widdows, Susannah Widdows, and Hannah Young, the Trustee under the Will and Codicils of Thomas Morris, deceased, viz., John Sutherland Harwood Banner; Charles Edward Leigh Wright.	Humphrey Jeffrey Walmesley, William Henry Marsden, Charles Edward Leigh Wright, Thomas Burns, the elder, Thomas Burns, the younger, John Holmes, William Roberts, William Higson, Joseph Davies, the Trustee under the Will and Codicils of Thomas Morris, deceased, viz., John Sutherland Harwood Banner; Ann Widdows, and Hannah Young, William Hodson, William Scotson.
10			
15			
20	50 ditto - - -	The Trustees of Abraham Ackers, deceased, viz., Thomas Banks, Lewis Voisey, and John Leyland Martlew. Jackson Abraham Ackers, the Trustee under the Will and Codicils of Thomas Morris, deceased, viz., John Sutherland Harwood Banner.	Humphrey Jeffrey Walmesley, William Henry Marsden, Charles Edward Leigh Wright, Thomas Burns, the elder, Thomas Burns, the younger, John Holmes, William Roberts, William Higson, Joseph Davies, the Trustee under the Will and Codicils of Thomas Morris, deceased, viz., John Sutherland Harwood Banner; the Trustees of Abraham Ackers, deceased, viz., Thomas Banks, Lewis Voisey, and John Leyland Martlew; Jackson Abraham Ackers, Ann Widdows, Susannah Widdows, and Hannah Young, William Hodson, William Scotson, John Hatton, Henry Southworth.
25			
30			
35			
40			
45	The Local Board for the District of Abram, being the Surveyor of Highways for the Township of Abram. Lord of the Manor of the Fee of Makerfield, which includes the said Township of Abram, The Right Honourable William John, Baron Newton.		

Given under the Seal of Office of the Local Government Board, this
Eighth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

Stevenage
Order.

LOCAL GOVERNMENT DISTRICT OF STEVENAGE.

Provisional Order to enable the Sanitary Authority for the Urban Sanitary District of Stevenage to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Stevenage Local Board, being the Sanitary Authority for 5
the Urban Sanitary District of Stevenage, in the County of
Hertford ;—

And to all others whom it may concern.

WHEREAS the Stevenage Local Board, as the Sanitary Authority for the Urban Sanitary District of Stevenage, in the County of Hertford (herein-after 10 referred to as "the Local Board"), require to purchase and take the lands described in the Schedule hereto for the disposal of the sewage of their District :

38 & 39 Viet.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers 15 given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any 20 existing public rights of highway, and for the purpose aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them :

Art. II. This Order may be cited as the Stevenage Order, 1894.

The SCHEDULE above referred to.

A.D. 1894.

Stevenage
Order.

Parish of SHEPPHALL, in the County of HERTFORD.

5	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
	2	Barns, sheds, pasture, and bed of stream.	Alfred Heathcote - -	William Pratt.
	3	Pasture and bed of stream -	ditto - - -	ditto.
	4	Arable, occupation roadway, and bed of stream.	ditto - - -	ditto.
	5	Arable, occupation roadway, and footpaths.	ditto - - -	ditto.
10	13	Arable, occupation roadway, bed of stream, and footpath.	ditto - - -	ditto.

15 Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF STOCKPORT.

Stockport
Order.
(2.)

20 *Provisional Order to enable the Urban Sanitary Authority for the
Borough of Stockport to put in force the Compulsory Clauses
of the Lands Clauses Acts.*

To the Mayor, Aldermen, and Burgesses of the Borough of Stockport,
being the Urban Sanitary Authority for that Borough ;—

25 And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of
Stockport, as the Urban Sanitary Authority for that Borough (herein-after
referred to as "the Corporation"), require to purchase and take the lands situate
in the Borough, and which are described in the Schedule hereto, for the following
30 purposes ; viz.,—

1. The lands mentioned in Part I. of the said Schedule for the purpose of
widening and improving the street called Millgate ;
2. The lands mentioned in Part II. of the said Schedule for the purpose of
widening and improving the street called Churchgate ;

[228.]

B 2

A.D. 1894.

*Stockport
Order.*
(2.)

3. The lands mentioned in Part III. of the said Schedule for the purpose of widening and improving the street called Lower Hillgate ;
4. The lands mentioned in Part IV. of the said Schedule for the purpose of widening and improving the street called Middle Hillgate ;
5. The lands mentioned in Part V. of the said Schedule for the purpose of making a new street from Grosvenor Street to Shaw Heath ;
6. The lands mentioned in Part VI. of the said Schedule for the purpose of making a new street from Grenville Street to Torkington Street ;
7. The lands mentioned in Part VII. of the said Schedule for the purpose of widening and improving Chatham Street ;
8. The lands mentioned in Part VIII. of the said Schedule for the purpose of widening and improving Northgate Street ;
9. The lands mentioned in Part IX. of the said Schedule for the purpose of widening and improving a street called Chestergate ;
10. The lands mentioned in Part X. of the said Schedule for the purpose of widening and improving a street called Heaton Lane :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them : Provided that the prescribed period for the compulsory purchase of the lands numbered 1 to 24, 29 to 31, 33 to 35, 76 to 173, 196, 206 to 208, 212, 230, and 231, all inclusive, in the Schedule hereto, shall, for the purposes of Section 123 of the Lands Clauses Consolidation Act, 1845, be two years from the date of the Act of Parliament confirming this Order.

Art. II. This Order may be cited as the Stockport Order (No. 2), 1894.

The SCHEDULE above referred to.

A.D. 1894.

Stockport
Order.
(2.)

County Borough of STOCKPORT.

5	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Township of STOCKPORT.					
PART I.					
10	1	Yard and wooden shed, fence and gates, and steps of three treads.	James Robinson and Ellen Holford.	- - -	Thomas Hollinshead.
	2	Smithy and yard and frontage.	ditto - - -	- - -	ditto.
PART II.					
15	3	House, shop, frontage, yard, and closets.	The Reverend Canon Symonds.	- - -	James Walker.
20	4	House, shop, frontage, yard, and closet.	ditto - - -	- - -	James Frank.
	5	House, frontage, yard, and closet.	ditto - - -	- - -	Ellen Bramwell.
25	6	House, shop, frontage, yard, and closet.	ditto - - -	- - -	Herbert Wilson.
	7	ditto - - -	ditto - - -	- - -	Gregory Sinclair Haines.
30	8	Vacant land - - -	ditto - - -	- - -	—
	9	House, with yard and closets.	ditto - - -	- - -	Philip Harcourt.
	10	ditto - - -	ditto - - -	- - -	Unoccupied.
35	11	ditto - - -	ditto - - -	- - -	William O'Connor.
	12	House, frontage, yard, steps, and railings.	ditto - - -	- - -	George Edward Unwin.
	13	House, frontage, yard, closets, and steps.	ditto - - -	- - -	Michael Joyce.
40	14	Passage - - -	ditto - - -	- - -	—
	15	House, warehouse, frontage, yard, and closets.	ditto - - -	- - -	Hannah Bradshaw.
	16	Private road - - -	ditto - - -	- - -	Hannah Bradshaw and Edmund Sutcliffe.

A.D. 1894.

Stockport
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
17	House, shop, frontage, yard, and closets.	The Reverend Canon Symonds.	- - -	Edmund Sutcliffe.	5
18	House, frontage, yard, and closets.	ditto - -	- - -	Joseph Bennett.	
19	ditto - -	ditto - -	- - -	James Clegg.	
20	ditto - -	ditto - -	The Corporation -	Margaret Johnson.	10
21	House, frontage, steps, yard, and closets.	ditto - -	ditto - -	George Sharman.	
22	Passage - -	ditto - -	ditto - -	—	
23	House, frontage, steps, yard, and closets.	ditto - -	ditto - -	Thomas Gough.	15
24	House, cottage, frontage, steps, yard, and closets.	ditto - -	ditto - -	George Cooper.	20
PART III.					
25	House and shop frontage, yard, and closets and out-buildings.	The Ancoats Building Society.	- - -	Harriet Lawson.	25
26	ditto - -	ditto - -	- - -	Fred Jennings.	
27	Passage - -	ditto - -	- - -	Harriet Lawson, Fred Jennings, and Mary Ann Hart.	
28	House and shop frontage, yard, and closets and out-buildings.	ditto - -	- - -	Mary Ann Hart.	30
PART IV.					
29	House, frontage, terrace, steps, closets, ashpiits, and fences.	James Henry Allen -	- - -	Unoccupied.	35
30	ditto - -	ditto - -	- - -	ditto.	
31	ditto - -	ditto - -	- - -	ditto.	
33	House, shop, yard, and closets.	ditto - -	- - -	ditto.	40
34	House, shop, yard, closet, and steps.	ditto - -	- - -	ditto.	
35	Private road - -	James Henry Allen and Nicholas John Ryle.	Henry Bell, Alfred Bell, Thomas Bell, and George Fearn, trading as Bell and Company.	Annie Cheetham and James Henry Allen.	45

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	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	36	House, cellar, yard, closets, frontage, and steps.	James Henry Allen	- - -	Thomas Hibbert.
	37	ditto - -	ditto - -	- - -	Unoccupied.
	38	ditto - -	ditto - -	- - -	ditto.
	39	ditto - -	ditto - -	- - -	ditto.
10	40	ditto - -	ditto - -	- - -	ditto.
	41	ditto - -	ditto - -	- - -	ditto.
	42	ditto - -	Sarah Lawton	- - -	Patrick Welch.
	43	ditto - -	ditto - -	- - -	James Carroll.
15	44	Passage - -	ditto - -	- - -	Patrick Welch, James Carroll, Ralph Penwood.
	45	House, cellar, yards, closets, frontage, and steps.	ditto - -	- - -	Ralph Penwood.
PART V.					
20	46	Garden and frontages	The Reverend Canon Symonds, as Rector of Stockport.	Thomas Palfreyman	Thomas Palfreyman.
	47	Stable, warehouse and frontage, yard, and passage.	ditto - -	Thomas Hopkins	George Alfred Eyres.
25	48	Yard and shed -	ditto - -	ditto - -	Thomas Hopkins.
	49	Stable and shed, yard, frontage.	ditto - -	ditto - -	George Walter Shawcross.
30	50	Passage - -	The Corporation	- - -	The Corporation; and the Guardians of the Poor of the Stockport Union.
	51	Land - -	The Guardians of the Poor of the Stockport Union.	- - -	The Guardians of the Poor of the Stockport Union.
35	52	Land, part of mill yard.	Robert Orme and Henry Sutton.	The Shaw Heath Spinning Company, Limited.	The Shaw Heath Spinning Company, Limited, and Henry Sutton.
	53	ditto - -	Robert Orme and the Shaw Heath Spinning Company, Limited.	ditto - -	ditto.
Township of CHEADLE.					
PART VI.					
45	54	Land, frontage, and railings.	Emma Mary Bailey	- - -	Emma Mary Bailey.
	55	ditto - -	Thomas Fort and Joseph Davenport Kain.	- - -	Thomas Fort and Joseph Davenport Kain.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Township of CHEADLE.				
PART VII.				
56	Land and garden rails, fences and wall.	William Gilmore	- - - -	Emily Lee. 5
PART VIII.				
57	Land, fences, hedge and wall and frontage, stable, shed, yard, and passage.	Richard Clarke and Son.	- - - -	Mary Ann Miller, Mary Ann Hitchen, and William Foundall. 10
58	Yard and passage	ditto	- - - -	ditto.
Township of STOCKPORT.				
PART IX.				
59	Public-house known as the "Mersey Inn," passage, and frontage, yard, closet, and bed of river.	The Stopford Brewery Company, Limited.	- - - -	Michael Thomas O'Gara. 15
60	House, shop, frontage, passage, yard, closet and bed of river.	ditto	- - - -	Unoccupied. 20
61	ditto	ditto	- - - -	ditto. 25
62	House, shop, frontage, passage, yard, closets, and bed of river.	Robert Taylor and Enoch Turner.	- - - -	ditto. 30
63	ditto	ditto	- - - -	ditto.
64	House, shop, frontage, yard, closets, area, and grids, and passage.	The Executors of the Will of Matthew Yeoman, viz., William White and Charles Brooks.	- - - -	John Robert Yeoman, Matthew Yeoman. 35
65	House, shop, frontage, passage, yard, and closets.	Daniel Brown	- - - -	John Seddon.
66	ditto	ditto	- - - -	Unoccupied. 40
67	ditto	ditto	- - - -	James Bennett.
68	Outbuilding and stable	George Ball	- - - -	John Knight.
69	Wash-house	Charles Thomas Mace and Joseph Mace.	- - - -	James Doherty.
70	Stable	George Ball	- - - -	John Knight. 45
71	Warehouse	Daniel Brown	- - - -	ditto.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	72 House, yard, passage, and closet	George William Davies.	- - -	Unoccupied.
	73 ditto - -	ditto - -	- - -	ditto.
	74 ditto - -	George Ball - -	- - -	ditto.
	75 House, frontage, yard, and closet.	George William Davies.	- - -	ditto.
10		Township of HEATON NORRIS.		
		PART X.		
15	76 House and public- house known as the "Red Lion," front- age, yard, stables, coach-house, wash- house, privies, urinals, ashpits, and middens.	Taylor's Eagle Brewery Company, Limited, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	Joseph Barlow -	Joseph Barlow.
20	77 Shop, house, and frontage, and yard and closets.	Emma Owen and Frances Baxter, the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	- - -	James Abraham.
25	78 House, shop, and frontage, yard, and closet.	ditto - -	- - -	Francis Jackson.
30	79 House, shop, and frontage, boiling- house, wash-house, yard, and closets.	ditto - -	- - -	Emma Owen.
35	80 House, shop, and frontage, yard, and closets.	Frances Baxter and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Clara Etchells.
40				
45	81 Gadsby's Court -	ditto - -	- - -	William Kitchen, Wil- liam Bramhall, Henry Faulder and Com- pany, Limited, and Clara Etchells.
50	82 House, yard, and closets.	Frances Baxter	- - -	Unoccupied.
	83 ditto - -	ditto - -	- - -	ditto.
	84 ditto - -	ditto - -	- - -	ditto.
	85 ditto - -	ditto - -	- - -	ditto.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
86	Shop, house, frontage, and yard.	Frances Baxter and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	Josiah Hill	Josiah Hill.	5
87	House, shop, frontage, passage, and yard.	Charles Dawson and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	-	ditto.	10 15
88	Yard gates and frontage.	Henry Faulder and Company, Limited, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	-	Henry Faulder and Company, Limited.	20 25
89	House, shop, offices, and frontage.	ditto	James Derwent	The Stockport and Manchester Advance Bank, the National Telephone Company, Limited, and William Wainwright.	30
90	House, shop, and frontage, yard and closets.	Henry Slater and Leigh Slater, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	-	Jane Stone.	35 40
91	ditto	ditto	-	Mary Ann Bearon.	
92	House, shop, and yard.	ditto	Robert Crompton	Robert Crompton.	45
94	House, shop, frontage, and yard.	The Corporation; and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	-	Henry Bennett.	50
95	House, shop, and frontage, yard, and closets.	ditto	-	James Derwent.	55

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	96 House, shop, and frontage, yard, and closets.	John Johnson, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Johnson.
10	97 House, shop, and frontage, yard, closets, and passage.	Margaret Gray, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	Mary Jane Clubley	Mary Jane Clubley.
15	98 Passage - -	Harry Minshull, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	William Fielding -	William Fielding, Andrew Hough, Sarah Victoria Beau- mont and Martha Carter, and James Ridgway.
20	99 Shop, frontage, and yard.	Mrs. Harry Minshull, and the Right Honourable Wil- braham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	Andrew Hough -	Andrew Hough.
25	100 ditto - -	ditto - -	ditto - -	ditto.
30	101 House, shop, front- age, and yard.	ditto - -	- - -	Sarah Victoria Beau- mont and Martha Carter.
35	102 ditto - -	ditto - -	- - -	James Ridgway.
40	103 House, shop, front- age, yard, and closets.	ditto - -	William Fielding -	William Fielding.
45	104 Shop and frontage -	Margaret Gray, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	The Stockport Meat Company.
50	105 Timber yard, office, and frontage.	ditto - -	- - -	Mary Gothard.
55	106 Shop, warehouse, frontage, and yard.	William Bramhall, and the Right Honourable Wil- braham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	- - -	William Bramhall.
60				

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
107	House, shop, frontage, and yard.	William Bramhall, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Joseph Garner.	5
					10
108	ditto - -	ditto - -	- - -	ditto.	
110	House and beershop and frontage, and yard, closets, and cellars, called the "Touchstone."	Watson and Woodhead, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Annie Burgess, Sarah Hall, and Elizabeth Hall.	15
					20
111	House, shop, frontage, and yard.	ditto - -	- - -	ditto.	
112	House, shop, and frontage, yard, and passage.	Ann Lockwood, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	James Chatterton -	James Chatterton.	25
					30
113	Passage - -	ditto - -	ditto - -	James Chatterton, Bingley Bonsall, and John Thomas Gee.	
114	House, shop, and frontage, area, grids, yard, and closets.	ditto - -	John Thomas Gee	John Thomas Gee.	35
115	House, shop, frontage, cellerage, and yard.	ditto - -	Bingley Bonsall -	Bingley Bonsall.	
116	House, shop, frontage, yard, and wooden shed.	Amelia Wood, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Elizabeth Kenyon.	40
					45
117	House, shop, frontage, yard, and closets.	ditto - -	- - -	Edward Roberts.	
118	ditto - -	Lucy Ann Macdougall, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Webb Curry.	50
					55
119	ditto - -	ditto - -	- - -	Francis Bradshaw.	

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	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	120	House, shop, front- age, yard, and closet.	Margaret Pearson H o o t o n, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Billings.
10	121	Passage - -	ditto - - -	- - -	Elizabeth Kenyon, Ed- ward Roberts, John Webb Curry, Francis Bradshaw, and John Billings.
15	122	House, shop, front- age, yard, and closets.	ditto - - -	- - -	Timothy Wood.
20	123	ditto - -	Ellen Amelia Hart, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	- - -	James Rawson.
25	124	ditto - -	ditto - - -	- - -	William Edward Heap.
30	125	House, shop, front- age, yard, and closet.	ditto - - -	- - -	Thomas Burgess.
	126	House, shop, front- age, yard, and closets.	ditto - - -	- - -	James Harrison.
	127	Offices and frontage -	ditto - - -	James Harrison -	William Henry Jones.
35	128	Shop, offices, and works, frontage, yard, and closets.	ditto - - -	- - -	George Mansell.
40	129	Public-house, "The Queen Ann," yard, cellars, closets, and frontage.	Alfred Carrington, George Frederick Carrington, the Prest- wich Brewery Com- pany, and the Right Honourable Wilbra- ham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Thomas Henry Leigh.
45					
50	130	House, shop, front- age, yard, cellars, and closets.	Joseph Albiston, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Henry Brown.
55					
	131	House, shop, front- age, yard, and closets.	ditto - - -	- - -	William Harvey.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
132	House, shop, frontage, yard, closets, and cellars.	Joseph Albiston, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Wild.	5
133	ditto - -	ditto - -	Fred Rhodes -	Fred Rhodes.	10
134	ditto - -	ditto - -	- -	Thomas Robinson.	
135	House, shop, frontage, yard, closets, and cellar.	ditto - -	- -	Henry Brocklehurst.	15
136	Shop, offices, frontage, yard, and cellars.	ditto - -	- -	Alice Kinsey and Joseph Albiston.	
137	Passage - -	The Corporation; George Froggatt, and Joseph Albiston, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	The Corporation.	20
138	House, shop, frontage, yard, and closets.	George Froggatt, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	George Froggatt.	25
139	ditto - -	ditto - -	- -	ditto.	30
140	ditto - -	The Corporation; and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- -	Edward Guest.	35
141	ditto - -	ditto - -	- -	Unoccupied,	40
142	ditto - -	ditto - -	- -	ditto.	45
143	House, shop, frontage, yard, passage, and closets.	Joseph Albiston, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- -	Henry England.	50
144	ditto - -	ditto - -	- -	William Hughes.	55
145	ditto - -	ditto - -	- -	John Chapman.	

	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	146	House, shop, frontage, yard, and closet.	Sarah Leigh, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	Edmund Taylor -	Edmund Taylor.
10	147	ditto - -	ditto - - -	ditto - -	Christopher Wood and Thomas Wood.
15	148	Public-house, "The Woodman," frontage, yard, closets, stables, and coach-house.	Watson and Woodhead, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Wakefield.
20	149	House, shop, frontage, yard, and closets.	ditto - - -	- - -	John Burgon.
	150	House, shop, frontage, yard, and closet.	ditto - - -	- - -	Charles Gleave.
25	151	House, shop, frontage, yard, and closets.	Francis Edward Nicholson, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Eastmans', Limited.
30	152	ditto - - -	ditto - - -	- - -	Mary Larkin and Betsy Larkin.
35	153	ditto - - -	ditto - - -	- - -	ditto.
	154	Passage - - -	ditto - - -	- - -	Eastmans', Limited, Mary Larkin and Betsy Larkin, and James Lowe.
40	155	House, shop, frontage, yard, and closets.	ditto - - -	- - -	James Lowe.
	156	ditto - - -	ditto - - -	- - -	John Nicholson.
45	157	ditto - - -	Margaret Ford, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	Walter Ryder -	Walter Ryder.
50	158	ditto - - -	ditto - - -	- - -	James Corrigan.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
159	House, shop, frontage, yard, shed, and closets.	Ralph Bernard Robinson, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Gaskill.	5
160	House, shop, frontage, yard, and closets.	ditto - - -	- - -	George Stoddart.	10
161	Passage - - -	Ralph Bernard Robinson, Harriet Emeline Gaskill, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Gaskill, George Stoddart, George Downes, Thomas Burgess, and Frederick Burgess.	15 20
162	House, shop, frontage, yard, and closets.	Harriett Emeline Gaskill, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	George Downes.	25 30
163	ditto - - -	ditto - - -	- - -	Thomas Burgess and Frederick Burgess.	
164	House and beershop, "Swan with Two Necks," frontage, yard, and closets.	Margaret Ford, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	George Brocklehurst.	35 40
165	House, shop, frontage, yard, and closets.	Eliza Fielding, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	William Benjamin Prest.	45 50
166	Shop - - -	Frank Brooke, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	The Ashton Paint and Varnish Company, Limited, and Arthur Hulme.	55
167	ditto - - -	ditto - - -	- - -	Robert Eli Buckley.	
168	ditto - - -	ditto - - -	- - -	Charles Dawson.	60

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Nos. on deposited Plans.		Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	169	Office, stables, wooden shed, yard, gates, and advertising board.	Frank Brooke, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Frank Brooke.
	170	House, frontage, yard, and closets.	ditto - -	- - -	ditto.
10	171	House, shop, frontage, yard, and closets.	Ann Sidebotham, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	William Stevenson.
15	172	House, shop, frontage, yard, closets, rails, and steps.	ditto - -	- - -	Francis Pinkerton.
20	173	House, shop, frontage, and warehouse.	ditto - -	- - -	Edwin Thomson and Samuel Thomson.
25	174	House, yard, and premises, closets, frontage, steps, and area grids.	Alfred Potts, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Catherine Murray.
30	175	ditto - -	ditto - -	- - -	Michael Corrigan.
35	176	ditto - -	John Whitworth, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	William Crighton.
40	177	House and premises, closets, frontage, steps, and area grids.	ditto - -	- - -	Mary Paulden.
45	178	House, frontage, steps, yards, passage, closets, and grids.	Ralph Bernard Robinson, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Unoccupied.
50	179	ditto - -	ditto - -	- - -	ditto.
55					

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
180	House, yard, premises, and closets.	John Whitworth, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Martha Bowden.	5
181	House, yards, passage, and closets.	Ralph Bernard Robinson, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Unoccupied.	10
182	ditto - -	ditto - -	- - -	ditto.	15
183	House, frontage, steps, grids, yards, passage, and closets.	Margaret Ford, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Michael O'Houlihan.	20
184	House, frontage, yards, passage, and closets.	ditto - -	- - -	Patrick Gibson.	25
185	House, shop, passage, frontage, area, grids, yard, and closets.	Watson and Woodhead, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Samuel Young.	30
186	ditto - -	ditto - -	- - -	Mary Gorman.	35
187	ditto - -	ditto - -	- - -	Patrick Nockton.	40
188	ditto -	ditto - -	- - -	Reggie Burns.	45
189	House, frontage, yard, and closets.	ditto - -	- - -	Unoccupied.	
190	House, frontage, yards, and closets.	ditto - -	- - -	James Allen.	50
191	ditto - -	ditto - -	- - -	Henry James McCarell.	
192	ditto - -	ditto - -	- - -	John Heenan.	
193	House, frontage, area, grids, yard, passage, and closets.	ditto - -	- - -	National League Club.	

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	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	194	House, frontage, grids, yards, and closets.	Alice Brookes, and the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	Annie Eliza Pollitt.
10	195	ditto -	ditto - - -	- - -	Peter Wood.
	196	House, frontage, grids, yard, and closets.	ditto - - -	- - -	James Cass.
15	197	ditto - -	ditto - - -	- - -	Christopher Wood and Thomas Wood.
20	198	House, frontage, closet, and yard.	Sarah Leigh, James Leigh, and Robert Montgomery, the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	- - -	William Downing.
25	199	ditto - -	ditto - - -	- - -	Joseph Rowlinson.
	200	ditto - -	ditto - - -	- - -	Michael Gannon.
30	201	House, frontage, yard, and closet.	The Representatives of James Lawton, deceased, viz., James Beard and Alfred Pickford; and George Heathcote, the Right Honour- able Wilbraham Baron Egerton of Tatton, George Mark Leicester Egerton, and George Dixon.	- - -	John Leigh.
35					
40					
	202	ditto - -	ditto - - -	- - -	William Fildes.
	203	ditto - -	ditto - - -	- - -	Thomas Davenport.
	204	ditto - -	ditto - - -	- - -	John Collier.
45	205	Passage - -	ditto - - -	- - -	John Leigh, William Fildes, Thomas Davenport, John Collier, and John Kelly.
50	206	House, frontage, yard, and closet.	ditto - - -	- - -	John Kelly.
55	207	ditto - -	Joseph Albiston, the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Ley- cester Egerton, and George Dixon.	- - -	Margaret Speakman.

A.D. 1894.
—
Stockport
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
208	Passage, yard, and closet.	Joseph Albiston, the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Margaret Speakman, Henry England, William Hughes, John Chapman, and John Kelly. 5
				10
209	House, frontage, yard, and closets.	The Corporation; and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Richard Sands. 15
210	Passage, closets, and yard.	ditto - - -	- - -	Richard Sands, Mary Ann Frith, John Gibbons, Ann Bowden, and Kate Hodgkinson. 20
211	House, frontage, closets, and yard.	ditto - - -	- - -	Unoccupied. 25
212	ditto - -	ditto - - -	- - -	Mary Ann Frith.
213	ditto - -	ditto - - -	- - -	John Gibbons.
214	ditto - -	ditto - - -	- - -	Unoccupied.
215	ditto - -	ditto - - -	- - -	Ann Bowden.
216	ditto - -	ditto - - -	- - -	Kate Hodgkinson. 30
217	ditto - -	George Froggatt, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	George Hester. 35
218	ditto - -	ditto - - -	- - -	Ellen Potts.
219	ditto - -	Joseph Albiston, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	David Hulme. 40
				45
220	ditto - -	ditto - - -	- - -	Walter Macdonald.
221	ditto - -	ditto - - -	- - -	Thomas Hore.
222	ditto - -	ditto - - -	- - -	Martin Burns. 50
223	ditto - -	ditto - - -	- - -	Martin Conroy.
224	ditto - -	ditto - - -	- - -	Patrick Sheridan.
225	ditto - -	ditto - - -	- - -	Unoccupied.

Nos. on deposited Plans.		Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	A.D. 1894. — Stockport Order. (2.)
5	226	House, frontage, closets, and yard.	Joseph Albiston, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Peter Tumbelty.	
	227	ditto - -	ditto - -	- - -	Joseph Grimes.	
	228	ditto - -	ditto - -	- - -	William Connor.	
10	229	Passage, yard, and closets.	ditto - -	- - -	David Hulme, Walter Macdonald, Thomas Hore, Martin Burns, Martin Conroy, Patrick Sheridan, Peter Tumbelty, Joseph Grimes, William Connor, Samuel Heywood, and Samuel Roberts, and others.	
15	230	House, frontage, yard, and closets,	ditto - -	- - -	Samuel Heywood.	
20	231	ditto -	ditto - -	- - -	Samuel Roberts.	
25	232	ditto - -	George Mather, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	Thomas Gosling.	
30	233	House, frontage, yard, and closet.	ditto - -	- - -	George Mather.	
35	234	Warehouse, works, frontage, yard, and closets	ditto - -	- - -	ditto.	
40	235	House, frontage, yard, and closets.	Sarah Mather, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	George Lees.	
45	236	ditto - -	ditto - -	- - -	Edmund Rushton.	
50	237	ditto - -	ditto - -	- - -	James Naylor.	
55	238	Passage, yard, and closets.	ditto - -	- - -	George Lees, Edmund Rushton, James Naylor, William Costello, James Sidebottom, and Emma Jones.	

A.D. 1894.

Stockport
Order.
(2.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
239	House, frontage, yard, and closets.	Sarah Mather, and the Right Honourable Wilbraham Baron Egerton of Tatton, George Mark Leycester Egerton, and George Dixon.	- - -	William Costello.	5
240	House, shop, frontage, yard, and closets.	ditto - -	- - -	James Sidebottom.	10
241	House, frontage, yard, and closet.	ditto - -	- - -	Emma Jones.	15

Given under the Seal of Office of the Local Government Board, this
Fifth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Wilsden
Order.

LOCAL GOVERNMENT DISTRICT OF WILSDEN.

20

Provisional Order to enable the Sanitary Authority for the Urban Sanitary District of Wilsden to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Wilsden Local Board, being the Sanitary Authority for the Urban Sanitary District of Wilsden, in the County of the West Riding of Yorkshire ;—

And to all others whom it may concern.

WHEREAS the Wilsden Local Board, as the Sanitary Authority for the Urban Sanitary District of Wilsden, in the County of the West Riding of Yorkshire (herein-after referred to as "the Local Board"), require to purchase and take the lands described in the Schedule hereto for the purpose of widening and improving the streets known as Main Street, the Cullingworth and Haworth Road, and Bents Lane, in their District :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect; viz.,—

Art. I. The Local Board shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purpose aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them :

Provided that if the Local Board shall acquire any portion of the lands numbered 14 and 15 on the deposited plans, and described in the Schedule hereto,

nothing herein contained shall authorise the Local Board to remove any body, or the remains of any body, interred therein, without first obtaining such license as is required by law in that behalf.

A.D. 1894.

*Wilsden
Order.*

Art. II. This Order may be cited as the Wilsden Order, 1894.

5

The SCHEDULE above referred to.

Township of WILSDEN, in the County of the West Riding of YORKSHIRE.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
10	MAIN STREET IMPROVEMENT.		
2	Vacant ground - - -	John William Ackroyd -	Harriet Brayshaw.
3	Cottage - - -	ditto - - -	ditto.
4	Garden - - -	ditto - - -	John William Ackroyd.
5	Field or croft - - -	Jonas Ackroyd - - -	Jonas Ackroyd.
15	6 Coal-house - - -	ditto - - -	ditto.
7	Stable - - -	ditto - - -	ditto.
8	Yard or road - - -	ditto - - -	ditto.
9	Field or croft - - -	ditto - - -	ditto.
10	Butcher's shop - - -	ditto - - -	Henry Tatham.
20	11 Closets and urinal - - -	The Trustees of the Wilsden Congregational or Independent Chapel, Sunday School, and Burial Grounds, viz., Thomas Wadsworth, Thomas Smith, Alfred Ambler, Samuel Ambler, Frank Ambler, John Kendall, Joseph Hardy, Hargreaves Smith, Herbert Fawcett, Joseph Crabtree, Herbert Hardy, William Hartley, John Smith, Luther White, and John Edmund Aldersley.	The Trustees of the Wilsden Congregational or Independent Chapel, Sunday School, and Burial Grounds, viz., Thomas Wadsworth, Thomas Smith, Alfred Ambler, Samuel Ambler, Frank Ambler, John Kendall, Joseph Hardy, Hargreaves Smith, Herbert Fawcett, Joseph Crabtree, Herbert Hardy, William Hartley, John Smith, Luther White, and John Edmund Aldersley.
25			
30			
35	12 Yard - - -	ditto - - -	ditto.
	13 Porch - - -	ditto - - -	ditto.
	14 Old burial ground - - -	ditto - - -	ditto.
	15 New burial ground - - -	ditto - - -	ditto.
40	16 Stable and hayloft - - -	Moses Anderson Briggs -	Moses Anderson Briggs.
	17 Field or croft - - -	Arthur Clapham - - -	Arthur Clapham.

A.D. 1894.

*Wilsden
Order.*

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	
19	Cottage - - -	Arthur Clapham - -	Sarah Smith.	
20	ditto - - -	ditto - - -	Rachel Pickles.	5
21	Garden - - -	ditto - - -	Arthur Clapham.	
22	Ashpit - - -	ditto - - -	ditto.	
23	Garden - - -	Feather Marshall - -	Feather Marshall.	
24	Blacksmith's shop - -	John William Ackroyd -	John William Ackroyd.	
25	Meadow field - - -	Jonas Houldsworth -	Jonas Houldsworth.	10
26	Garden - - -	ditto - - -	Alfred Billinghamurst.	
27	ditto - - -	ditto - - -	John Coutts.	
28	Grocer's shop - - -	Francis Butterfield - -	Francis Butterfield.	
29	School or grocer's store -	The Reverend William Noblet.	ditto.	15
30	Vacant land - - -	George Emmott - - -	Thomas Todd.	
31	Causeway - - -	William Frankland - -	Ann Evans, Thomas Todd, and Ellen Dawson.	
32	Wall and vacant land -	Daniel Brigg - - -	Edwin Ellison.	
33	Garden - - -	Thomas Gawthorp - -	Thomas Gawthorp.	20
34	ditto - - -	ditto - - -	ditto.	
35	ditto - - -	William Smith and William Shaw.	Grace Wood.	
36	Barber's shop - - -	William Jackson - - -	Robert Thornton.	
37	Garden - - -	ditto - - -	ditto.	25
38	Store room - - -	ditto - - -	The Local Board.	
39	Closet - - -	ditto - - -	George Whitehouse.	
40	Field or croft - - -	ditto - - -	The Local Board.	
41	Fish shop - - -	ditto - - -	Joseph Ramsden.	
42	Plantation - - -	John Denton - - -	Alfred Ambler, Samuel Ambler, and Frank Ambler.	30
43	Garden - - -	ditto - - -	Matthew Tetley and Thomas Tetley.	
44	Sweet shop - - -	ditto - - -	ditto.	
45	Road - - -	Alfred Ambler, Samuel Ambler, and Frank Ambler.	Alfred Ambler, Samuel Ambler, and Frank Ambler.	35
46	Yard - - -	ditto - - -	ditto.	
47	Garden - - -	Alfred Ambler - - -	Frank Ambler.	
48	Footpath - - -	ditto - - -	ditto.	40
49	Garden - - -	ditto - - -	ditto.	

A.D. 1894.

Wilsden
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
5	50 Road - - -	Alfred Ambler, Samuel Ambler, and Frank Ambler.	Alfred Ambler, Samuel Ambler, and Frank Ambler.
	51 Mechanic's shop - -	ditto - - -	ditto.
	54 Wilsden beck - -	ditto - - -	ditto.
10	55 Meadow field - -	Sir Francis Sharp Powell, Baronet, M.P.	Peter Greenwood.
	56 ditto - - -	ditto - - -	ditto.
	57 Meadow field and road -	ditto - - -	Walker Holmes.
	59 Cottage - - -	ditto - - -	Mark Ingham.
	60 ditto - - -	ditto - - -	Nowell Pickles.
15	61 ditto - - -	ditto - - -	Albert Smith.
	62 Yard or road - -	ditto - - -	Peter Greenwood.
	63 Field or croft - -	ditto - - -	ditto.
CULLINGWORTH AND HAWORTH ROAD IMPROVEMENT.			
20	64 Cottage - - -	Mary Ellison - -	Mary Ellison.
	65 ditto - - -	ditto - - -	John Saxton.
	66 Out-kitchen - -	ditto - - -	Mary Ellison and John Saxton.
	67 Field and walls - -	Elizabeth Wilson - -	George Wright.
25	68 Coal-houses, closet, and yard	Mary Ellison - -	Mary Ellison and John Saxton.
BENTS LANE IMPROVEMENT.			
	69 Meadow field - -	Joseph Wood - -	Ambrose Toothill.
	70 ditto - - -	ditto - - -	ditto.
30	71 Garden - - -	William Smith and William Shaw.	Elizabeth Robinson.
	72 Field or croft - -	ditto - - -	Reuben Holmes.
	73 Meadow field - -	Joseph Wood - -	Ambrose Toothill.
	74 Frontage land - -	William Smith and William Shaw.	Elizabeth Robinson.
35	75 Out-building - -	ditto - - -	William Smith and William Shaw.
	76 Meadow field - -	ditto - - -	Reuben Holmes.
	77 Road - - -	ditto - - -	ditto.
	78 Croft - - -	ditto - - -	ditto.

40 Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 10).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board
relating to the Urban Sanitary
Districts of Abram, Stevenage, Stock-
port, and Wilsden.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
10 May 1894.

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[Bill 228.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Birmingham, Brighton, Burnley, Darwen, Lancaster, and Sheffield

A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed

5 by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

10 1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force.

The Orders
in schedule
confirmed.

2. The urban sanitary authority for the borough of Brighton shall not, under the powers of this Act or of the Brighton Pavilion Order, 1894, without the consent of the Local Government Board, purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses, which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Special
provision
relating to
the Brighton
Order as
to houses of
labouring
class.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for

[Bill 229.]

A

A.D. 1894. — wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who 5 may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 11) Act, 1894.

SCHEDULE.

A.D. 1894.

CITY OF BIRMINGHAM.

*Birmingham
Order.*

*Provisional Order for altering the Birmingham Corporation
(Consolidation) Act, 1883.*

5 To the Mayor, Aldermen, and Citizens of the City of Birmingham, being the Urban Sanitary Authority for that City ; —

To the Overseers of the Poor of the several Parishes of Aston, Birmingham, Edgbaston, Harborne and Smethwick, and Kings Norton ; —

And to all others whom it may concern.

10 WHEREAS the City of Birmingham (herein-after referred to as “the City”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority, and the provisions of the Birmingham Corporation (Consolidation) Act, 1883 (herein-after referred to as “the Local Act”), are in force in the City ;

46 & 47 Vict.
c. lxx.

And whereas by Section 218 of the Local Act it is enacted that all expenses incurred by the Corporation in the execution of that Act which are not otherwise provided for shall be defrayed by a rate to be called the improvement rate ;

20 And whereas by Section 223 of the Local Act it is enacted that, subject to the provisions of that Act, the Corporation may from time to time make, assess, collect, and levy the improvement rate in like manner as rates under the Towns Improvement Clauses Act, 1847, and that for the purposes of that enactment the provisions of that Act “with respect to the manner of making rates” (except
25 Sections 175, 176, 177, 179, and 181), and “with respect to the appeal to be made against any rate,” and “with respect to the recovery of rates” are thereby incorporated with the Local Act ; but it is provided that if the Corporation so resolve they may from time to time make an order on the overseers of parishes and parts of parishes in the City requiring them to assess, levy, or collect the
25 improvement rate, and so long as any such order is in force such overseers shall have and exercise all or any of the powers of the Corporation and their officers for assessing, levying, or collecting the improvement rate as the Corporation shall by resolution delegate to them, and that in default of compliance with any such order of the Corporation, the overseers shall be
30 subject to all provisions and penalties provided by law concerning non-payment of contributions to a borough rate ; and it is further provided that any order made by the Corporation as aforesaid may be rescinded by a resolution of the Corporation, and so from time to time ;

And whereas it is expedient that provision be made for the audit by a district
35 auditor of the accounts relating to the assessment and collection of the improve-

A.D. 1894.

*Birmingham
Order.*

38 & 39 Vict.
c. 55.

ment rate so long as the same shall be assessed, levied, or collected by the overseers in pursuance of any order of the Corporation as aforesaid :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act shall be altered so that the following provisions shall have effect ; viz.,—

Art. I. So long as any order of the Corporation under Section 223 of the Local Act is in force, and the overseers of the several parishes and parts of the parishes in the City shall collect the improvement rate pursuant to such order—

(1.) The accounts of the several overseers and the collectors relating to such rate shall be submitted to and be audited by the district auditor in the manner provided by Section 37 of the Divided Parishes and Poor Law Amendment Act, 1876, as if the rate were made and levied by the overseers.

39 & 40 Vict.
c. 61.

(2.) The overseers of each parish and part of a parish in the City shall prepare and submit to the district auditor at every audit held pursuant to this Order a financial statement in duplicate in the form and containing the particulars from time to time prescribed by the Local Government Board ; one of such duplicates shall have the stamp duty chargeable according to the scale contained in the District Auditors Act, 1879, affixed thereon, and calculated according to the total of the sums paid to the treasurer of the Corporation during the period to which the statement relates, and the provisions of the District Auditors Act, 1879, as to the duties of the auditor with reference to such duplicates, shall apply as if the said duplicates were prepared and submitted under that Act.

42 Vict. c. 6.

(3.) The Corporation shall repay to the overseers the amount of any stamp duty which may be paid by them upon any financial statement pursuant to the provisions of this Order.

Art. II. The provisions of Sections 5 and 6 of the District Auditors Act, 1879, shall apply to the accounts of the overseers and collectors, and to the stamp duty on such financial statements as aforesaid ; and any overseer who shall fail to comply with the provisions of this Order with respect to a financial statement shall be liable to the penalty provided in Section 7 of the last-mentioned Act.

Art. III. So long as the improvement rate shall be made and levied once only in each year the accounts of the overseers and the collectors in regard to such rate shall be made up to the Twenty-fifth day of March in each year, or to such other date as the Local Government Board shall from time to time prescribe, and the audit of such accounts shall be annual and not half-yearly.

Art. IV. This Order may be cited as the Birmingham Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

BOROUGH OF BRIGHTON.

A.D. 1894.

*Provisional Order for altering certain Local Acts and a
Confirming Act.*

*Brighton
Order.
(1.)*

To the Mayor, Aldermen, and Burgesses of the Borough of Brighton, being
the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Brighton (herein-after referred to as "the
Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and
Burgesses, acting by the Council (herein-after referred to as "the Corporation"),
are the Urban Sanitary Authority ;

And whereas under a Local Act passed in the thirteenth year of the reign of
Her present Majesty Queen Victoria, intituled "An Act to enable the Commis-
sioners acting under an Act passed in the sixth year of the reign of His late
Majesty King George the Fourth, for better regulating, paving, improving,
and managing the Town of Brighthelmston, in the County of Sussex, and the
Poor thereof, to purchase, improve, and manage the Royal Pavilion at Brighton,
and the grounds thereof, and to enlarge, extend, and apply the powers and
provisions of the same Act with reference thereto" (herein-after referred to
as "the Act of 1850"), the Brighton Town Commissioners, acting under the
Brighton Town Act (herein-after referred to as "the Commissioners"), purchased
the Royal Pavilion at Brighton, with the land and grounds, and the appurtenances
thereto ;

13 Vict. c. v.

6 Geo. IV.
c. clxxix.

And whereas by Section 10 of the Act of 1850 the Commissioners were
authorised, for the purposes of that Act, to make one or more equal rate or rates,
assessment or assessments, upon the tenants or occupiers of all hereditaments
within the Parish of Brighton (save as therein mentioned), so as such rate or
rates, assessment or assessments, did not exceed in the whole in any one year, to
be computed from the First day of January, the sum of fourpence in the pound
on the scale or rate for the time being on which rates were raised to and for the
relief of the poor of the Parish ;

And whereas by Sections 1 and 2 of the Brighton Commissioners Transfer
Act, 1855 (herein-after referred to as "the Act of 1855"), it was enacted that the
Commissioners should cease to exist and that the Corporation should be the
Commissioners for carrying the Brighton Town Act and the Act of 1850 into
execution, and that the property, powers, privileges, and liabilities of the
Commissioners under those Acts, including the Royal Pavilion and the land and
grounds and appurtenances thereto, should be transferred to and vested in the
Corporation for the intents and purposes, and subject to the provisions for and
subject to which the same were vested in, given to, conferred on, imposed on,
or enjoyed by the Commissioners ;

18 Vict. c. vi.

And whereas by Section 3 of the Brighton Pavilion Act, 1867 (herein-after
referred to as "the Act of 1867"), it was enacted that the expression the
"Pavilion Estates" meant the pavilion and the grounds thereof, and appur-
tenances belonging thereto, and all lands and hereditaments purchased and

30 Vict. c. xxii.

A.D. 1894. from time to time held by the Corporation under and by virtue of the Act of 1850 ;

*Brighton
Order.*
(1.)

And whereas by Section 4 of the Act of 1867 borrowing powers were conferred upon the Corporation ;

And whereas by virtue of Section 21 of the Brighton Borough Extension Act, 1873, the rates or assessments authorised by Section 10 of the Act of 1850 are now made upon the tenants or occupiers of hereditaments within the Borough ;

39 Vict.
c. xxxiv.

And whereas by Section 7 of the Brighton Pavilion Acts Amendment Act, 1876 (herein-after referred to as "the Act of 1876"), the establishment and maintenance of a free library, museum, and picture gallery are declared to have been and to be purposes of the Act of 1850 within the meaning of Sections 10 to 14 (both inclusive) of that Act, and of Section 10 of the Act of 1867 ;

And whereas the Act of 1850, the Act of 1867, and the Act of 1876 are herein-after collectively referred to as "the Pavilion Acts" ;

54 & 55 Vict.
c. lxx.

And whereas by a Provisional Order of the Local Government Board dated the Sixth day of May, One thousand eight hundred and ninety-one, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1891 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), certain provisions of the Pavilion Acts were repealed ;

And whereas by Article III. of the Order, Section 7 of the Act of 1876 was altered so that the words "public library, museum, and art gallery" should be deemed, from the passing of that Act, to have been substituted for the words "free library, museum, and picture gallery" ; and so that the words "purposes of the Act of 1850 and of the Act of 1867" should be deemed from that date to have been substituted for the words "purposes of the Act of 1850, within the meaning of Sections 10 to 14 (both numbers included) of that Act, and of Section 10 of the Act of 1867" ;

And whereas by Article IV. of the Order the Pavilion Acts were further altered so as to provide that, in addition to the sums authorised to be borrowed by the Pavilion Acts, the Corporation might, with the sanction of the Local Government Board, and subject to the provisions of the Order, borrow for all or any of the purposes of the Pavilion Acts, as thereby altered, to which capital is properly applicable, and on the security of the rates and assessments authorised by Section 10 of the Act of 1850, and of the district fund and general district rate of the Borough, or upon any of such securities, either together or separately, such sums as they might from time to time think requisite, not exceeding the sum of forty thousand pounds :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Pavilion Acts and the Confirming Act, so far as it relates to the Order, shall be altered so as to provide as follows :—

Art. I. The Corporation may, in addition to the public library already established upon the Pavilion Estate, provide public libraries and news-rooms in any part of the Borough, and for that purpose may purchase, hire, or otherwise

A.D. 1894.

Brighton
Order.
(1.)

acquire and hold land, and erect, take down, rebuild, alter, repair and extend buildings, and fit up, furnish, and supply the same with all requisite furniture, fittings and conveniences, and do and provide all other acts and things that may be necessary or proper in connexion therewith; and wherever in any of the
5 Pavilion Acts as altered by the Order reference is made to the public library already established, it shall be deemed to include any library or news-room provided under this Order. The Corporation may, for the purpose of providing, maintaining, and carrying on such public libraries and news-rooms, exercise in relation thereto and to any land so purchased, hired, or otherwise acquired as
10 aforesaid all or any of the powers and authorities conferred upon them by the Pavilion Acts as altered by the Order with reference to the Pavilion Estate as if the same were or were situate upon part of that estate.

Art. II. In addition to the sums authorised to be borrowed by the Pavilion Acts and the Order, the Corporation may, with the sanction of the Local
15 Government Board, borrow for all or any of the purposes of the Pavilion Acts as altered by the Order and this Order, to which capital is properly applicable, and on the security of the rates and assessments authorised by Section 10 of the Act of 1850, and of the district fund and general district rate of the Borough, or upon any of such securities, either together or separately such sums as they may
20 from time to time think requisite, not exceeding the sum of five thousand pounds, and the provisions of subdivisions (2) to (9) of Article IV. of the Order shall apply to all moneys so borrowed.

Art. III. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Pavilion Acts or of this
25 Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry), shall be paid by the Corporation out of such fund or rate as the Local Government Board may direct, and the Local Government Board may
30 certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. IV. The Pavilion Acts and the Order and this Order may for all purposes be cited together as the Brighton Pavilion Acts, 1850 to 1894, and
35 each of those Acts and Orders may for all purposes be cited separately as the Brighton Pavilion Act or Order of the year in which it was passed or confirmed, as the case may be.

Given under the Seal of Office of the Local Government Board, this
40 Thirteenth day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

BOROUGH OF BURNLEY.

*Burnley
Order.*
(2.)*Provisional Order for altering the Burnley Borough Improvement
Act, 1871.*

To the Mayor, Aldermen, and Burgesses of the Borough of Burnley, being
the Urban Sanitary Authority for that Borough ; —

5

And to all others whom it may concern.

WHEREAS the Borough of Burnley (herein-after referred to as "the
Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and
Burgesses, acting by the Council (herein-after referred to as "the Corporation"),
are the Urban Sanitary Authority, and the unrepealed provisions of the Burnley
Borough Improvement Act, 1871 (herein-after referred to as "the Local Act"),
as altered by certain Local Acts and certain Provisional Orders duly confirmed
by Parliament, are in force in the Borough ;

34 & 35 Vict.
c. cliv.

And whereas by Section 3 of the Local Act it is (inter alia) enacted that in
that Act the term "court of quarter sessions" means the court of general or
quarter sessions for the County of Lancaster holden at Preston ;

And whereas by Section 437 of the Local Act it is enacted that the Council
may, subject and according to the provisions of that Act, from time to time,
annually, or oftener as and when they think fit, make, assess, and levy within
the Borough a rate called the borough rate, but that such rates sha'l not exceed
in any one year two shillings in the pound on the annual value of the property
to be assessed :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 303 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall take
effect ; viz.,—

Art. I. Section 3 of the Local Act shall be altered by the insertion of the
words "The term 'court of quarter sessions' means the court of quarter sessions
holden in and for the Borough" in lieu of the words "The term 'court of
' quarter sessions' means the court of general or quarter sessions for the said
County holden at Preston."

Art. II. Section 437 of the Local Act shall be altered by the omission of the
words "but such rates shall not exceed in any one year two shillings in the
pound on the annual value of the property to be assessed."

35

Art. III. This Order may be cited as the Burnley Order (No. 2), 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-sixth day of April, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

40

BOROUGH OF DARWEN.

A.D. 1894.

*Provisional Order for partially repealing and altering certain
Local Acts and a Confirming Act.*

*Darwen
Order.*

5 To the Mayor, Aldermen, and Burgesses of the Borough of Darwen, being
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Borough of Darwen (herein-after referred to as “the
Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and
Burgesses, acting by the Council (herein-after referred to as “the Corporation”),
10 are the Urban Sanitary Authority ;

And whereas by Section 3 of the Over Darwen Local Board Waterworks and
Gasworks Act, 1873 (herein-after referred to as “the Act of 1873”), the under-
taking of the Darwen Waterworks Company (herein-after referred to as “the
waterworks company”) was transferred to and vested in the Local Board of
15 Health for the District of Over Darwen (herein-after referred to as “the
Local Board”), but subject (inter alia) to the mortgage debt of the waterworks
company, amounting to the sum of eight thousand two hundred pounds ;

And whereas by Section 18 of the Act of 1873 the Local Board were required
to grant to the holders of the share capital of the waterworks company
20 perpetual annuities (herein-after referred to as “the waterworks annuities”) as
therein mentioned :

And whereas by Section 21 of the Act of 1873 the undertaking of the Over
Darwen Gaslight Company (herein-after referred to as “the gas company”) was
transferred to and vested in the Local Board, subject (inter alia) to
25 the mortgage debt of the gas company, amounting to the sum of eight thousand
and fifty pounds ;

And whereas by Section 36 of the Act of 1873 the Local Board were required
to grant to the holders of the share capital of the gas company perpetual
annuities (herein-after referred to as “the gasworks annuities”) as therein
30 mentioned ;

And whereas by Section 56 of the Act of 1873 provision was made for the
creation of a sinking fund for the redemption of the waterworks annuities and the
gasworks annuities, and by Section 57 of that Act provision was made as to
the application of the sinking fund so created ;

35 And whereas on the Thirty-first day of March, One thousand eight hundred
and ninety-four, the gasworks annuities outstanding amounted to the sum of
two thousand six hundred and eight pounds seventeen shillings and sixpence per
annum, and the waterworks annuities outstanding amounted to the sum of two
thousand three hundred and seventy-six pounds and six shillings per annum ;

40 And whereas by Section 61 of the Act of 1873 the Local Board were
empowered to borrow, with the sanction of the Local Government Board, such
sums as they might think requisite for any of the purposes of that Act, not
exceeding in the whole eighty thousand pounds ;

And whereas all the powers, rights, duties, capacities, liabilities, obligations,
45 and property exerciseable by, attaching to, or vested in the Local Board have
passed to, and become exerciseable by, and vested in the Corporation ;

*Darwen
Order.*42 & 43 Vict.
c. ccli.

And whereas by Section 80 of the Over Darwen Improvement Act, 1879 (herein-after referred to as "the Act of 1879"), the Corporation were empowered to borrow (inter alia) for payment of the sums payable by the Corporation to the Mayor, Aldermen, and Burgesses of the Borough of Blackburn in respect of the purchase by the Corporation of the property and rights of the said Mayor, Aldermen, and Burgesses in connexion with their gas and water undertakings in the area by the Act of 1879 added to the Borough such sum or sums as might be requisite, not exceeding in the whole thirteen thousand five hundred pounds ;

50 & 51 Vict.
c. clii.

And whereas by Section 151 of the Darwen Corporation Act, 1887 (herein-after referred to as "the Act of 1887"), the Corporation were empowered to borrow (inter alia) for the extension and improvement of the waterworks ten thousand pounds, and for the extension and improvement of the gasworks seventy thousand pounds ;

And whereas by Section 153 of the Act of 1887 all provisions subsisting at the passing of that Act prescribing the time at which or the mode in which any moneys borrowed and then owing or to be re-borrowed in lieu thereof by the Corporation should be repaid were thereby, so far as they related to the sums specified in columns 4 and 8 of the Seventh Schedule to the Act of 1887, but not further or otherwise, annulled and repealed as from the Thirty-first day of March, One thousand eight hundred and eighty-seven, except as therein provided ;

And whereas it appears from the eighth column of the Seventh Schedule to the Act of 1887 that the amount of debt outstanding on the Thirty-first day of March, One thousand eight hundred and eighty-seven, in respect of gasworks (including the mortgage debt of the gas company), was forty-seven thousand four hundred and twenty-two pounds sixteen shillings and threepence, which comprised the sum of thirty-three thousand nine hundred and twenty-two pounds sixteen shillings and threepence in respect of moneys borrowed or owing under the Act of 1873, and the sum of thirteen thousand five hundred pounds borrowed under the Act of 1879, and that the amount of debt outstanding at that date in respect of waterworks (including the mortgage debt of the waterworks company) was thirty-eight thousand three hundred and forty-three pounds ;

And whereas on the Thirty-first day of March, One thousand eight hundred and ninety-four, the sum of thirty-four thousand seven hundred and twenty-four pounds sixteen shillings and threepence remained outstanding in respect of the said sum of forty-seven thousand four hundred and twenty-two pounds sixteen shillings and threepence, and the sum of twenty-eight thousand six hundred and two pounds in respect of the said sum of thirty-eight thousand three hundred and forty-three pounds ;

And whereas it appears from column 8 of the Seventh Schedule to the Act of 1887 that the sum of ninety-four thousand one hundred and fifty-four pounds and elevenpence (being the balance of the sum of one hundred and seventy-nine thousand nine hundred and nineteen pounds seventeen shillings and twopence mentioned in that column was on the Thirty-first day of March, One thousand eight hundred and eighty-seven, outstanding in respect of moneys borrowed by the Corporation or their predecessors for purposes other than gasworks or waterworks, and from column 4 of the said Schedule that the sum

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—
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of five thousand and fifty-nine pounds seventeen shillings and sixpence was the amount which having been borrowed for such purposes had been temporarily repaid, and was intended to be re-borrowed, such sums together amounting to the sum of ninety-nine thousand two hundred and thirteen pounds eighteen
5 shillings and fivepence ;

And whereas on the Thirty-first day of March, One thousand eight hundred and ninety-four, there remained outstanding in respect of the said sum of ninety-nine thousand two hundred and thirteen pounds eighteen shillings and fivepence the sum of seventy-five thousand three hundred and forty pounds
10 and elevenpence, of which the sum of sixty-one thousand five hundred and ninety pounds and elevenpence is chargeable to district fund account and the sum of thirteen thousand seven hundred and fifty pounds is chargeable to borough fund account ;

And whereas by virtue of Section 153 of the Act of 1887 the Corporation are
15 required to repay or provide for the repayment of the said sums of thirty-four thousand seven hundred and twenty-four pounds sixteen shillings and threepence, twenty-eight thousand six hundred and two pounds, sixty-one thousand five hundred and ninety pounds and elevenpence, and thirteen thousand seven hundred and fifty pounds within the period of twenty-five years from the Thirty-
20 first day of March, One thousand eight hundred and eighty-seven, and to repay all moneys borrowed or to be borrowed by them under the powers of the Act of 1887 within thirty years from the date of borrowing ;

And whereas by Section 154 of the Act of 1887 provision was made as to the period within which the Corporation should repay all moneys to be thereafter
25 borrowed by them under the powers of any Local Act of Parliament, or of any Provisional Order confirmed by Act of Parliament, or of any Order or Sanction of any Government department then respectively in force, but it was provided that the unexhausted borrowing powers (if any) under the Act of 1873 should be and the same were thereby annulled ;

And whereas by Section 155 of the Act of 1887 it was enacted that the repayments respectively mentioned in Sections 153 and 154 should be effected by
30 equal yearly or half-yearly instalments of principal, or of principal and interest, or by means of sinking funds, or partly by such instalments and partly by sinking funds, and provision was made with respect to the formation, investment,
35 and application of such sinking funds ;

And whereas by Article I. of a Provisional Order of the Local Government Board dated the Tenth day of May, One thousand eight hundred and ninety-three, and duly confirmed by the Local Government Board's Provisional Orders
40 Confirmation (No. 11) Act, 1893 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), Section 151 of the Act of 1887 was altered so as to enable the Corporation to borrow, with the sanction of the Local Government Board, additional moneys for waterworks purposes, and by Article II. of the Order Section 153 of the Act of 1887 was altered so as to make provision with respect to the period for the repayment
45 of the moneys so borrowed ;

56 & 57 Vict.
c. cxx.

And whereas it is expedient that the Corporation should be empowered to borrow money for the purpose of redeeming the gas and water annuities, and

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*Darwen
Order.*

that in lieu of the separate sinking funds required to be established under the Act of 1873 and the Act of 1887 the Corporation should be empowered to establish three sinking funds, one for the redemption of gas debt (including the gas annuities), one for the redemption of water debt (including the water annuities), and one for the repayment of the said sum of seventy-five thousand three hundred and forty pounds and elevenpence :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Act of 1873, the Act of 1887, and the Confirming Act, so far as it relates to the Order, shall be altered so as to provide as follows :—

Art. I. Sections 56, 57, and 63 of the Act of 1873 and Section 156 of the Act of 1887 shall be repealed, except so far as they may have been acted upon.

Art. II.—(1.) The Corporation may, subject to the provisions of this Order, borrow, in addition to any moneys which they are already authorised to borrow,—

(a) on the security of the revenue of their gas undertaking and of the district fund and general district rate of the Borough, or upon either of such securities, such sums as they may from time to time require for the purchase or redemption of such of the gas annuities as the Corporation may from time to time agree with the annuitants to redeem ;

(b) on the security of the revenue of their water undertaking, and of the district fund and general district rate of the Borough, or upon either of such securities, such sums as they may from time to time require for the purchase or redemption of such of the water annuities as the Corporation may from time to time agree with the annuitants to redeem.

(2.) The provisions of Sections 152 and 158 of the Act of 1887 shall apply to all moneys borrowed by virtue of this Article.

Art. III. The sinking funds to be set aside as herein-after provided shall be deemed to be substituted for and to be in lieu of the sinking funds required to be set aside under the Act of 1873 for the redemption of the gas and water annuities, and under the Act of 1887 for the repayment of moneys borrowed for gas or water purposes and of the said sum of ninety-nine thousand two hundred and thirteen pounds eighteen shillings and fivepence.

Art. IV.—(1.) For the purpose of making provision for the redemption of the liabilities mentioned in the first column of the Schedule to this Order (herein-after referred to as "the Schedule"), the Corporation shall provide three separate sinking funds (herein-after collectively referred to as "the sinking funds," and separately as the gas sinking fund, the water sinking fund, or the general sinking fund, as the case may be).

(2.) The Corporation shall, on or before the Thirty-first day of March in every year after the commencement of this Order, pay into the sinking funds the respective sums mentioned in the second column of the Schedule from the respective funds mentioned in the third column of the Schedule.

(3.) The sums paid into the sinking funds shall, unless applied in redemption of debt, be immediately invested in securities in which trustees are by law for

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Order.*

the time being authorised to invest, or in mortgages, bonds, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty
5 from time to time to vary and transpose such investments. The income derived from the investment of the sinking funds respectively shall be applied in reduction of the annual payments required to be made to the sinking funds by subdivision (2) of this Article : Provided that whenever and so long as the yearly income arising from the investment of any of the sinking funds in consols
10 is equal to the amount of the outstanding annuities, if any, and the interest on moneys borrowed and outstanding, for the redemption of which such fund is provided, the Corporation may discontinue the payment to that sinking fund of the yearly sum required to be paid thereto.

(4.)—(a.) The Corporation may at any time apply the whole or any part of
15 the gas sinking fund in redemption of the gas debt, whether by way of purchasing gas annuities or paying off moneys borrowed for gasworks purposes.

(b.) The Corporation may at any time apply the whole or any part of the water sinking fund in redemption of the water debt, whether by way of purchasing water annuities or paying off moneys borrowed for waterworks purposes.

20 (c.) The Corporation may at any time apply the whole or any part of the general sinking fund in redemption of the debt for which it is provided.

(5.) Any expenses connected with the formation, maintenance, investment, management, or otherwise of the sinking funds shall be paid by the Corporation in addition to the payments provided for by this Order.

25 (6.) The Local Government Board may at any time authorise a reduction in the amount payable in accordance with this Order to any of the sinking funds, or require an increase of such amount if, having regard to the terms of this Order and the circumstances attending the case, such reduction or increase is desirable.

30 (7.) The Corporation may at any time increase the payments to any of the sinking funds.

(8.) Any surplus in any of the sinking funds remaining after the discharge of the debt for the redemption of which such fund was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local
35 Government Board, may determine.

Art. V. Any sum which, at the commencement of this Order, is or should be standing to the credit of any sinking fund for the redemption of any of the debts mentioned in the first column of the Schedule hereto shall be forthwith carried to the credit of the corresponding sinking fund under this Order.

40 Art. VI. The provisions of Section 157 of the Act of 1887 shall not apply to any of the borrowed moneys referred to in Parts I. and II. of the Schedule, but in lieu thereof the following provisions shall have effect ; viz.,—

The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any such moneys which have not been repaid and
45 are intended to be forthwith repaid, or in respect of any such moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :

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*Darwen
Order.*

Provided that the Corporation shall not re-borrow except to the extent to which the sinking fund is insufficient for the purpose of paying off any such moneys, and that the Corporation shall not have power to re-borrow for the purpose of paying off any such moneys repaid by means of the sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made. 5

Art. VII.—(1.) The borough treasurer of the Borough shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceeding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of the Act of 1887, the Order, or this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such borough treasurer, showing, for the year next preceeding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such borough treasurer shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court. 10 15 20 25 30

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Local Act, the Order, or this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court. 35 40 45

Art. VIII. This Order may be cited as the Darwen Order, 1894.

The SCHEDULE above referred to.

A.D. 1894.

Darwen
Order.

1.	2.	3.
Liabilities.	Annual Payments.	Fund from which Payments are to be made.
5		
PART I.		
GAS SINKING FUND.		
10 £2,608. 17s. 6d. gasworks annuities, and moneys borrowed for their redemption.	£1,097. 16s. 1d. and accumulations at the rate of 3l. per cent. per annum.	Gas revenue and district fund and general district rate.
£34,724. 16s. 3d. gas debt -	£1,420. 8s. 1d. and accumulations at the rate of 3l. per cent. per annum for 18 years from the 31st day of March, 1894.	ditto.
15 Moneys borrowed or to be borrowed under the Act of 1887 for gasworks purposes.	Such equal annual sums and accumulations at the rate of 3l. per cent. per annum as will be sufficient to defray the amounts borrowed within 30 years from the respective dates of borrowing.	ditto.
20		
PART II.		
WATER SINKING FUND.		
25 £2,376. 6s. 0d. waterworks annuities, and moneys borrowed for their redemption.	£934. 18s. 0d. and accumulations at the rate of 3l. per cent. per annum.	Water revenue and district fund and general district rate.
£28,602. water debt - -	£1,210. 9s. 6d. and accumulations at the rate of 3l. per cent. per annum for 18 years from the 31st day of March, 1894.	ditto.
30 Moneys borrowed or to be borrowed under the Act of 1887 and the Order for waterworks purposes.	Such equal annual sums and accumulations at the rate of 3l. per cent. per annum as will be sufficient to defray the amounts borrowed under the Act of 1887 within 30 years, and under the Order within the period prescribed for repayment from the respective dates of borrowing.	ditto.
35		
PART III.		
GENERAL SINKING FUND.		
40 £13,750. chargeable to borough fund account.	£586. 3s. 3d. and accumulations at the rate of 3l. per cent. per annum for 18 years from the 31st day of March, 1894.	Borough fund and Borough rate.
45 £61,590. 0s. 11d. chargeable to district fund account.	£2,460. 6s. 1d. and accumulations at the rate of 3l. per cent. per annum for 18 years from the 31st day of March, 1894.	District fund and general district rate.

Given under the Seal of Office of the Local Government Board, this
Second day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

*Lancaster
Order.*

BOROUGH OF LANCASTER.

Provisional Order for altering certain Local Acts and a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Lancaster, being
the Urban Sanitary Authority for that Borough ;—

5

And to all others whom it may concern.

WHEREAS the Borough of Lancaster (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the unrepealed provisions of the Lancaster Water and Improvement Act, 1876, the Lancaster Corporation Act, 1880, and the Lancaster Corporation Act, 1888 (which Acts are herein-after together referred to as "the Local Acts," and each separately as the Act of the year in which it was passed), as altered by the Provisional Order herein-after recited, are in force in the Borough ;

15

And whereas by Section 47 of the Act of 1876 the Corporation were empowered to borrow money for (inter alia) waterworks purposes ;

And whereas by Section 75 of the Act of 1880 the Corporation were empowered to borrow for (inter alia) waterworks purposes any sum or sums not exceeding fifteen thousand pounds ;

20

And whereas by Section 76 of the Act of 1880 the Corporation were empowered to create and issue Lancaster Corporation Stock, and by Section 77 of that Act it was (inter alia) enacted that such stock should bear such fixed and perpetual interest, not exceeding the rate of four pounds per centum per annum, as the Corporation by the resolution creating the same shall determine ;

25

And whereas by Section 84 of the Act of 1880 it is enacted that the Corporation may, by agreement with any of the stockholders, at any time, if they think fit, redeem or purchase any portion of the stock, and that when any portion is so redeemed or purchased an entry of the redemption or purchase thereof shall be made in the register of stockholders, and thereupon such redeemed or purchased portion shall be wholly extinguished ;

30

And whereas by a Provisional Order of the Local Government Board dated the Twenty-fifth day of May, One thousand eight hundred and eighty-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1886 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Act of 1880 was altered so as to enable the Corporation, with the sanction of the Local Government Board, to borrow for waterworks purposes the additional sum of ten thousand pounds ;

35

And whereas it is expedient that the Corporation should be empowered to borrow further moneys for waterworks purposes, and that the other provisions herein-after contained should be made :

40

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the

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39 & 40 Vict.
c. clxxxvi.
43 & 44 Vict.
(Sess. 2)
c. clv.
51 & 52 Vict.
c. clv.

50 Vict. c. viii.

38 & 39 Vict.
c. 55.

commencement of this Order"), the Local Acts shall be altered so that the following provisions shall have effect; viz.,—

A.D. 1894.

Art. I. The Corporation shall not after the commencement of this Order create or issue Lancaster Corporation Stock under the Act of 1880.

*Lancaster
Order.*

5 Art. II. The Corporation shall not invest any sinking fund established by them under the Local Acts in any security of the Corporation.

Art. III. Section 101 of the Act of 1888 shall be repealed except so far as it may have been acted on.

10 Art. IV. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the borough fund and borough rate of the Borough, and of the revenue arising from their water undertaking, or upon any of such securities, either together or separately, such further sums, not exceeding in the whole the sum of fifteen thousand pounds, as may from time to time be necessary for the purposes of
15 their water undertaking.

Art. V. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

20 Art. VI. The moneys borrowed by virtue of this Order shall be repaid within such period, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of
25 the Local Loans Act, 1875.

Art. VII.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund,
30 or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VIII. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

35 (a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

40 (b.) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

45 (3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed,

A.D. 1894.

*Lancaster
Order.*

be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at 5 liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed: Provided that in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested 10 at the rate per centum per annum on which the annual payments to the sinking fund are based. 15

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual 20 payments to the fund are based, any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual 25 payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by 30 this Order.

Art. VIII.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the 35 prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent 40 as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations 45 thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the

Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve. A.D. 1894.

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

—
Lancaster
Order.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine.

Art. IX. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

Art. X.—(1.) The town clerk of the Borough shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of any Local Act or Order then in force in the Borough, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such town clerk, showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be

A.D. 1894.
—
Lancaster
Order.

recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, 5
that the Corporation have failed to pay any instalment or annual payment
required to be paid, or to appropriate any sum required to be appropriated, or to
set apart any sum required for any sinking fund (whether such instalment or
annual payment or sum is required by any Local Act or Order then in force
in the Borough, or by the Local Government Board in virtue thereof, to be 10
paid, appropriated, or set apart), or have applied any portion of any sinking
fund to any purpose other than those authorised, the Local Government Board
may, by Order, direct that the sum in such Order mentioned, not exceeding
double the amount in respect of which default has been made, shall be paid or
applied as in such Order mentioned; and any such Order shall be enforceable 15
by writ of mandamus to be obtained by the Local Government Board out of the
High Court.

Art. XI. All moneys from time to time borrowed by virtue of this Order
shall be applied by the Corporation only for the purposes for which the same are
respectively authorised to be borrowed, excepting that moneys which may have 20
been borrowed in excess of the amount required shall be applied in such
manner as the Corporation, with the approval of the Local Government Board,
determine.

Art. XII.—(1.) The mortgagees of the Corporation by virtue of this Order may
enforce the payment of arrears of interest or of principal, or of principal and 25
interest, by the appointment of a receiver. The amount of arrears to authorise
the appointment of a receiver shall not be less than five hundred pounds in the
whole.

(2.) The application for the appointment of a receiver shall be made to the
High Court, and the Court, if it thinks fit, may appoint a receiver on such terms 30
as it thinks fit, and may at any time discharge the receiver and otherwise exercise
full jurisdiction over him.

Art. XIII. Where the Local Government Board cause any local inquiry to be
held with reference to any of the purposes of this Order, the costs incurred by that
Board in relation to such inquiry (including such reasonable sum, not exceeding 35
three guineas a day, as that Board may determine for the services of any inspector
or officer of the Board engaged in such inquiry) shall be paid by the Corporation,
and the Local Government Board may certify the amount of the costs so incurred,
and any sum so certified and directed by that Board to be paid by the
Corporation shall be a debt due to the Crown from the Corporation. 40

Art. XIV. This Order may be cited as the Lancaster Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Seventh day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President. 45
HUGH OWEN, Secretary.

CITY OF SHEFFIELD.

A.D. 1894.

*Provisional Order for altering the Sheffield Corporation
Act, 1890.*

*Sheffield
Order.*

5 To the Mayor, Aldermen, and Citizens of the City of Sheffield, being
the Urban Sanitary Authority for that City ; —

And to all others whom it may concern.

WHEREAS the City of Sheffield (herein-after referred to as “the City”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as “the Corporation”), are the
10 Urban Sanitary Authority, and the Sheffield Corporation Act, 1890 (herein-after referred to as “the Local Act”), is in force in the City ; 53 & 54 Vict.
c. CCXXV.

And whereas by Section 21 of the Local Act it is enacted that where any privy, ashpit, or cesspool is certified by the medical officer of health to be prejudicial to health or an annoyance to the public or neighbourhood, or to be
15 so situate that the removal of refuse therefrom is prejudicial to health or an annoyance to the public or neighbourhood, the Corporation may, by written notice, require the owner of the same within a reasonable time to be specified in the notice, to alter such privy or ashpit, or to convert the same into a water-closet or earth-closet, and to abolish such cesspool, as the case may require, to
20 the satisfaction of the Corporation ;

And whereas by Section 23 of the Local Act it is enacted that if any person injures or improperly fouls (inter alia) any privy or ashpit used in common by the occupiers of two or more buildings, or of separate parts of the same building, he shall be liable to a penalty not exceeding forty shillings ;

25 And whereas by Section 83 of the Local Act it is enacted that from and after the expiration of one month from the date of publication by the Corporation in two local newspapers circulating in the City of notice to the effect that they have provided slaughter-houses, no person shall, except with their consent, slaughter any cattle within a radius of two miles from the parish church of
30 Sheffield except in such slaughter-houses, and that any person acting in contravention of that section shall be liable for each offence to a penalty not exceeding five pounds ; but it was provided (inter alia) that that section should not apply to any person slaughtering his own cattle on his own premises ;

And whereas by Section 98 of the Local Act it is enacted that all expenses of
35 the execution by the Corporation of that Act which are not expressly provided for shall be defrayed by the Corporation out of the borough rate or general district rate, as having regard to the objects of the expenditure they may deem proper ;

And whereas it is expedient that the Corporation should be empowered to
40 borrow money for the purposes of the Local Act, and that the other provisions herein-after contained should be made :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the Act 38 & 39 Vict.
c. 55.

A.D. 1894.
Sheffield
Order.

of Parliament confirming this Order, the Local Act shall be altered so that the following provisions shall have effect; viz.,—

Art. I.—(1.) On the erection of any new building the Corporation shall, when a sewer and water supply sufficient for a watercloset are reasonably available, be empowered to require that such building shall be provided with one or more proper and sufficient waterclosets, according as circumstances may require, furnished with suitable water supply. 5

(2.) On the erection of any new building the Corporation shall, when a sewer and water supply sufficient for a watercloset are not reasonably available, be empowered to require one or more proper and sufficient earth-closets or privies and ashpits to be provided at or in connexion with such building. 10

(3.) If the person erecting any new building makes default in complying with any requirement of the Corporation under subdivision (1) or subdivision (2) of this Article he shall be liable to a penalty not exceeding five pounds; and upon such default Section 96 of the Local Act shall apply. 15

(4.) Sub-section (3) of Section 21 of the Local Act shall be deemed to extend and apply to any requirement of the Corporation or claim of the Corporation for costs, charges, and expenses in pursuance of the provisions of this Article.

(5.) Nothing in this Article contained shall be deemed to require any deviation from or alteration in any byelaw for the time being in force in the City relating to waterclosets, earth-closets, privies, or ashpits. 20

(6.) For the purposes of this Article the term "new building" shall include any building which would be a new building within the meaning of Section 159 of the Public Health Act, 1875, or of Section 72 of the Local Act.

Art. II. Any person who throws slops or slopwater into any ashpit constructed and adapted only as a receptacle for ashes, dust, and dry refuse shall be liable to a penalty not exceeding twenty shillings. 25

Art. III. The second proviso to Section 83 of the Local Act shall be altered by the insertion after the word "person" of the words "not being a butcher or the agent of a butcher." 30

Art. IV. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the district fund and general district rate of the City such sums, not exceeding in the whole the sum of one hundred thousand pounds, as may from time to time be necessary for the purposes of the Local Act. 35

Art. V. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. VI. The moneys borrowed by virtue of this Order shall be repaid within such period, not exceeding fifty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875. 40

Art. VII.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local 45

Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

A.D. 1894.
—
Sheffield
Order.

(2.) Subject to the provisions of Article VIII. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

(a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(b.) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds and ten shillings per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed: Provided that, in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

A.D. 1894.

*Sheffield
Order.*

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order.

Art. VIII.—(1.) If it appears to the Corporation at any time that the 5
amount in the sinking fund, with the future payments thereto, in accordance
with the provisions of this Order, together with the accumulations thereon (in
the case of an accumulating sinking fund), will probably not be sufficient to
repay within the prescribed period the moneys for the repayment of which the
sinking fund is formed, it shall be the duty of the Corporation to make such 10
increased payments to the sinking fund as will cause the sinking fund to be
sufficient for that purpose : Provided that if it appears to the Local Government
Board that any such increase is necessary, the Corporation shall increase the
payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they 15
may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in
accordance with the provisions of this Order, together with the accumulations
thereon (in the case of an accumulating sinking fund), will, in the opinion of
the Local Government Board, be more than sufficient to repay within the 20
prescribed period the moneys for the repayment of which the sinking fund is
formed, the Corporation may reduce the payments to be made to the sinking
fund, either temporarily or permanently, to such an extent as that Board shall
approve.

(4.) If the amount in any sinking fund at any time, together with the probable 25
accumulations thereon (in the case of an accumulating sinking fund), will, in the
opinion of the Local Government Board, be sufficient to repay the loan in respect
of which it is formed within the prescribed period, the Corporation may, with
the consent of that Board, discontinue the equal annual payments to such sinking
fund until the Local Government Board shall otherwise direct. 30

(5.) Any surplus of any sinking fund remaining after the discharge of the
whole of the moneys for the repayment of which it was formed shall be applied
to such purpose or purposes as the Corporation, with the consent of the Local
Government Board, may determine.

Art. IX. The Corporation shall, except as herein-after provided, have power 35
to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by
virtue of this Order, which have not been repaid, and are intended to be forth-
with repaid, or in respect of any moneys which have been repaid by the temporary
application of funds at the disposal of the Corporation within twelve months
before the re-borrowing, and which at the time of the repayment it was intended 40
to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the
purpose of paying off any moneys repaid by instalments or annual payments, or
by means of a sinking fund, or out of moneys derived from the sale of land,
or out of any capital moneys properly applicable to the purpose of such 45
repayment, other than moneys borrowed for that purpose : Provided also, that
any moneys re-borrowed shall be deemed to form the same loan as the money for

the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period. A.D. 1894.

*Sheffield
Order.*

Art. X.—(1.) The town clerk of the City shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months
5 next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government
10 Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such town clerk, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts
15 which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the
20 same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court, and, notwithstanding the recovery of such penalty, the making of the return shall be
25 enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to
30 set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order
35 mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned ; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. XI. All moneys from time to time borrowed by virtue of this Order shall
40 be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

Art. XII. Where the Local Government Board cause any local inquiry to be
45 held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the service

A.D. 1894.

*Sheffield
Order.*

of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

5

Art. XIII.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

10

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver, and otherwise exercise full jurisdiction over him.

Art. XIV. This Order may be cited as the Sheffield Order, 1894.

15

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 11).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board re-
lating to the Urban Sanitary Districts
of Birmingham, Brighton, Burnley,
Darwen, Lancaster, and Sheffield.

(Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre).

*Ordered, by The House of Commons, to be Printed,
10 May 1894.*

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[Bill 229.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Counties of the Isle of Wight,
London, and West Sussex, and to the Boroughs of
Margate and Tunbridge Wells.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto under
the provisions of the Local Government Act, 1888 :

51 & 52 Vict.
c. 41.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :—

10 1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall have
full validity and force.

Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Orders Confirmation (No. 12) Act, 1894.

A.D. 1894.

SCHEDULE.

*Isle of
Wight
Order.*

COUNTY OF THE ISLE OF WIGHT.

*Provisional Order made in pursuance of sub-section (2) of Section 69
of the Local Government Act, 1888.*

To the County Council of the Isle of Wight ;— 5

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by sub-section (1) of Section 69 of the Local Government Act, 1888 (herein-after referred to as "the Act"), the County Council of any Administrative County are empowered to borrow on the security and for the purposes in that sub-section mentioned ; and by sub-section (2) of that section 10 it is provided that where the total debt of the County Council, after deducting the amount of any sinking fund, exceeds or, if the proposed loan is borrowed, will exceed the amount of one-tenth of the annual rateable value of the rateable property in the County, ascertained according to the standard or basis for the county rate, the amount shall not be borrowed, except in pursuance of a 15 Provisional Order made by the Local Government Board and confirmed by Parliament ;

And whereas the County Council of the Isle of Wight (which Council and County are herein-after respectively referred to as "the County Council" and "the County") propose, under the provisions of the Act, to borrow, with the consent of the Local Government Board, the sum of sixty thousand pounds for the purposes of providing a lunatic asylum, and for other purposes ; 20

And whereas the total debt of the County, after deducting the amount of any sinking fund, will, if the proposed amount is borrowed, exceed the amount of one-tenth of the annual rateable value of the rateable property in the County, 25 ascertained according to the standard or basis for the county rate, and consequently such amount cannot be borrowed except in pursuance of a Provisional Order made by the Local Government Board and confirmed by Parliament ; and it is expedient that such a Provisional Order should be made :

Now therefore, We, the Local Government Board, in pursuance of the powers 30 given to Us by Section 69 of the Act, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz,—

Art. I. Subject to and in accordance with the provisions of the Act, the County Council may from time to time borrow such sums as will not, together 35 with the sums which they may be authorised to borrow under the Act without a

Provisional Order, and the outstanding balance of debt, after deducting the amount of any sinking fund, exceed the sum of sixty thousand pounds. A.D. 1894.

Art. II. This Order may be cited as the Isle of Wight Order, 1894.

Isle of
Wight
Order.

Given under the Seal of Office of the Local Government Board, this
Eighth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

COUNTY OF LONDON.

London
Order.

*Provisional Order under Section 10 of the Local Government
Act, 1888.*

To the Commissioner and Assistant Commissioners of Police of the
Metropolis ;—

To the London County Council ;—

And to all others whom it may concern.

WHEREAS by Section 10 of the Local Government Act, 1888, it is enacted
as follows :— 51 & 52 Vict.
c. 41.

“(1.) After the passing of this Act it shall be lawful for the Local Government
Board to make from time to time a Provisional Order for transferring to
County Councils—

“(a) any such powers, duties, and liabilities of Her Majesty’s Privy
Council, a Secretary of State, the Board of Trade, the Local Govern-
ment Board, or the Education Department, or any other Government
department, as are conferred by or in pursuance of any statute and
appear to relate to matters arising within the county, and to be of an
administrative character : also

“(b) any such powers, duties, and liabilities arising within the county,
of any commissioners of sewers, conservators, or other public body,
corporate or unincorporate (not being the corporation of a municipal
borough or an urban or rural authority, or a school board, and not
being a board of guardians), as are conferred by or in pursuance of
any statute ;

“and such Order shall make such exceptions and modifications as appear to
be expedient, and also such provisions as appear necessary or proper for
carrying into effect such transfer, and for that purpose may transfer any
power vested in Her Majesty in Council :

“(2.) Provided that before any such Order is made, the draft thereof shall
be approved, if it relates to the powers, duties, or liabilities of a Secretary
of State, or the Board of Trade, or any other Government department, by
such Secretary of State, Board, or department, and approved, if it affects
the powers, duties, or liabilities of any commissioners, conservators, or
body, corporate or unincorporate, by such commissioners, conservators, or
body ; and every such Provisional Order shall be of no effect until it is
confirmed by Parliament.

“(4.) The Act of Parliament confirming any Provisional Order made
under this section shall be a public general Act.”

[230.]

A 2

A.D. 1894.

*London
Order.*

14 & 15 Vict.
c. 28.
16 & 17 Vict.
c. 41.

And whereas the Commissioner of Police of the Metropolis, or one of the Assistant Commissioners of Police of the Metropolis, nominated by one of Her Majesty's Principal Secretaries of State in that behalf, is the Local Authority for executing within so much of the Metropolitan Police District as is comprised within the Administrative County of London the unrepealed provisions of the Common Lodging Houses Act, 1851, and the Common Lodging Houses Act, 1853 ;

And whereas the draft of this Order has been approved by the Commissioner of Police of the Metropolis, and by the Assistant Commissioner of Police so nominated as aforesaid :

51 & 52 Vict.
c. 41.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 10 of the Local Government Act, 1888, and by any other Statutes in that behalf, do hereby Order that the following provisions shall take effect :—

Art. I. The several expressions in this Order shall have the same meanings as in the Local Government Act, 1888.

Art. II. This Order shall come into operation on the First day of November, One thousand eight hundred and ninety-four.

Art. III. The powers, duties, and liabilities of the Commissioner of Police of the Metropolis, or of any Assistant Commissioner of Police of the Metropolis so nominated as aforesaid, as the Local Authority for executing within so much of the Metropolitan Police District as is comprised within the Administrative County of London the unrepealed provisions of the Common Lodging Houses Act, 1851, and the Common Lodging Houses Act, 1853, shall be transferred to the London County Council; who shall defray, out of the County fund, the expenses incurred by them as such Local Authority :

Provided that the keeper of a Common Lodging House, and every other person having or acting in the care or management thereof, shall at all times, when required by any officer of the Metropolitan Police Force, give him free access to such house or any part of it.

Art. IV. If on the said First day of November, One thousand eight hundred and ninety-four, any action or proceeding, or any cause of action or proceeding, by or against the Commissioner or any Assistant Commissioner of Police so nominated as aforesaid, in relation to the said Acts, is pending or existing, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may be continued, prosecuted, and enforced by or against the London County Council.

Art. V. Any regulations made in pursuance of Section 9 of the Common Lodging Houses Act, 1851, which are in force on the said First day of November, One thousand eight hundred and ninety-four, shall continue in force in like manner and with the like effect in all respects as if they had been made by the London County Council, until revoked by other regulations made by that County Council under the said section.

Given under the Seal of Office of the Local Government Board, this
Seventh day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF MARGATE.

A.D. 1894.

*Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act, 1888.*

*Margate
Order.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Margate ; —
To the Justices of the Peace for the said Borough ; —
To the Court of Quarter Sessions for the said Borough ; —
To the Justices of the Peace for the County of Kent, in Quarter Sessions
assembled ; —
10 To the County Council of Kent ; —
To the Lord Warden of the Cinque Ports ; —
To the Justices of the Peace for the Cinque Ports ; —
To the Mayor, Aldermen, and Burgesses of the Borough of Dover ; —
To the Court of Quarter Sessions of the Borough of Dover ; —
15 To the Justices of the Peace for the Borough of Dover ; —
To the Guardians of the Poor of the Isle of Thanet Union, being the
Sanitary Authority for the Rural Sanitary District of that Union ; —
And to all others whom it may concern.

WHEREAS by Section 54 of the Local Government Act, 1888 (which Act
is herein-after referred to as "the Act of 1888"), the Local Government Board
20 are empowered to make a Provisional Order for altering the boundary of any
Borough, and by such Order to divide or alter any electoral division ;

And whereas the Borough of Margate is a Borough within the meaning of
the Act of 1888, and the inhabitants of the Borough are a body corporate, by
the name of the Mayor, Aldermen, and Burgesses of the Borough of Margate,
25 and act by the Council of the Borough, which now consists of the Mayor (who
is also an Alderman), three other Aldermen, and twelve Councillors ;

And whereas the area of the Borough of Margate (herein-after referred to as
"the existing Borough") is coloured pink on the two maps (herein-after referred
to as "the Borough maps"), each marked "Map of the Borough of Margate,
30 as extended, 1894," and sealed with the official seal of the Local Government
Board ;

And whereas the existing Borough is an Urban Sanitary District, of which
the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban
Sanitary Authority ;

35 And whereas the existing Borough has a separate court of quarter sessions,
commission of the peace, and police force, and is for the election of Town
Councillors divided into four wards, termed respectively the Marine Ward, the
Cecil Ward, the Cliftonville Ward, and the Pier Ward, and three Councillors
are assigned to each of the said four wards ;

40 And whereas the Council of the existing Borough have adopted the provisions
of—

- (a.) The Infectious Disease (Notification) Act, 1889 ;
(b.) The Infectious Disease (Prevention) Act, 1890 ;
(c.) The Public Health Acts Amendment Act, 1890 ; and
45 (d.) Part III. of the Housing of the Working Classes Act, 1890,
and those provisions are accordingly in force in the existing Borough ;

52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.
53 & 54 Vict.
c. 59.
53 & 54 Vict.
c. 70.

A.D. 1894.

*Margate
Order.*

And whereas the unrepealed provisions of the Local Acts mentioned in the Schedule to this Order (which Acts are herein-after together referred to as "the scheduled Local Acts"), and of the Confirmation Acts mentioned in the said Schedule, so far as those Acts relate to the Orders or to the extent mentioned in that Schedule, are in force in the existing Borough;

5

And whereas the part of the Parish of Saint John the Baptist, Margate, which is not included in the existing Borough is a contributory place (herein-after referred to as "the contributory place") in the Rural Sanitary District of the Isle of Thanet Union (herein-after referred to as "the Rural District"), and immediately adjoins the existing Borough, and the Guardians of the Poor of that Union are the Rural Authority (herein-after referred to as "the Rural Authority") and Highway Authority for the Rural District;

10

And whereas the Rural Authority have adopted the provisions of—

52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.

(a.) The Infectious Disease (Notification) Act, 1889; and

(b.) The Infectious Disease (Prevention) Act, 1890;

15

and those provisions are accordingly in force in the Rural District, and by an Order of the Local Government Board dated the Thirtieth day of March, One thousand eight hundred and ninety-two, the provisions of Sections 23 and 33 of the Public Health Acts Amendment Act, 1890, were put in force within the Rural District;

53 & 54 Vict.
c. 59.

20

And whereas the contributory place forms part of the Liberty of Dover as one of the Cinque Ports, and is accordingly subject to the jurisdiction of the court of quarter sessions, recorder, and coroner of that Borough, and for certain purposes to the jurisdiction of the justices of that Borough, and for certain other purposes to the jurisdiction of the persons constituted justices within and throughout the Liberties of the Cinque Ports;

25

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act of 1888, determined that two County Councillors for the County of Kent should be apportioned to the existing Borough, and the existing Borough was accordingly divided into two electoral divisions, viz., the Northern Electoral Division, which is co-extensive with the Cliftonville and Pier Wards, and the Southern Electoral Division, which is co-extensive with the Cecil and Marine Wards;

30

And whereas the contributory place forms part of the Thanet Electoral Division of the County of Kent:

35

56 & 57 Vict.
c. 73.

And whereas by virtue of Section 1. of the Local Government Act, 1894 (herein-after referred to as "the Act of 1894"), the contributory place will, subject to any alteration made in pursuance of that or any other Act, become a separate parish, and such separate parish will be a rural parish, for which there will be a parish council:

40

51 & 52 Vict.
c. 41.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

45

Commence-
ment of Order.

Art. I. This Order shall, except so far as is otherwise herein expressly provided, or as there may be anything in the subject-matter or context inconsistent therewith, come into operation on the Ninth day of November, One

thousand eight hundred and ninety-four (which date is herein-after referred to as "the appointed day") :

A.D. 1894.

Margate Order.

Date of operation of Order for parish Burgess lists, &c.
51 Vict. c. 10.

5 Provided that, for the purposes of the parish Burgess lists and Burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, and any Act amending that Act, of the lists or register of parochial electors, and any other lists or register to be made in pursuance of the Act of 1894, and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election, and of all proceedings preliminary or relating to the first election of parish councillors for the rural parish of St. John the Baptist, Margate, this Order shall operate from the date of the Act of Parliament confirming the same :

15 Provided also that, for the purposes of the Act of 1894 the Urban District of Margate as extended by this Order shall be deemed to have been so extended prior to the passing of that Act, and the Parish of St. John the Baptist, Margate, to be divided accordingly by that Act.

Art. II. In this Order—

Definitions.

20 (1.) The expression "the Borough" means the Borough as extended by this Order.

(2.) The expression "the added area" means the part of the Rural District added to the existing Borough by this Order.

25 Art. III. The boundary of the existing Borough shall be altered so as to include, in addition to the area of the existing Borough, the part of the Rural District (being a portion of the contributory place) which is coloured blue on the Borough maps, and the altered boundary shall be that shown by the red line on the Borough maps, and the whole of the area included within such altered boundary shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be the Borough.

Extension of Borough.

45 & 46 Vict. c. 50.

30 Art. IV.—(1.) One of the Borough maps shall be deposited in the office of the Local Government Board, and the other shall be deposited by the town clerk of the Borough at his office, within fourteen days after the date of this Order. Copies of the Borough map deposited with the town clerk, certified by him to be true, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council of Kent, to the clerk of the Rural Authority, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Deposit of maps.

40 (2.) Copies of or extracts from the Borough map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as relates to the boundaries of the Borough; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk to be true, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough fund.

Copies of map to be evidence.

A.D. 1894.
—
Margate
Order.

County police.

Art. V.—(1.) On the appointed day such members of the police force of the County of Kent, if any, as shall be determined by agreement, to be made as soon as practicable after the date of the Act of Parliament confirming this Order, between the Standing Joint Committee of that County and the Watch Committee of the existing Borough, or, in default of such agreement, as shall be determined by a Secretary of State, shall be transferred to and become part of the police force of the Borough, and any member of the County police force so transferred to the police force of the Borough shall hold his office upon the same tenure and upon the same terms and conditions as if this Order had not been made, and while performing the same duties shall receive not less remuneration and be entitled to not less pension (if any) than if this Order had not been made. 5

53 & 54 Vict.
c. 45.

(2.) The provisions of Section 15 (2) of the Police Act, 1890, shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if such member had removed with the written sanction of the Chief Constable of the County of Kent. 15

Jurisdiction
of Borough
justices, &c.
extended.

Art. VI.—(1.) The powers and duties of the quarter sessions of the existing Borough, and of the recorder, clerk of the peace, coroner, and justices of the peace appointed for the existing Borough, and of the clerk to such justices, shall extend to and apply throughout the Borough. 20

(2.) Every person committing an offence in any part of the added area prior to the appointed day shall be tried, adjudicated on, and dealt with as if this Order had not been made.

(3.) The court of quarter sessions, recorder, clerk of the peace, and coroner of the Borough of Dover, and the justices appointed for that Borough, and the persons appointed justices within and throughout the Liberties of the Cinque Ports shall cease to exercise any jurisdiction within the added area; and the added area shall, subject to any adjustment under Section 62 of the Act of 1888, as regards the liability in respect of the superannuation allowances now payable to prison officers and in respect of the repayment of the outstanding balances of the loan heretofore contracted for the purposes of the Prisons Act, 1877, cease to be liable to defray any of the expenses of such court of quarter sessions, coroner, or justices, and the inhabitant householders of the added area shall cease to be liable to serve as grand jurors or jurors at such court of quarter sessions: 25 30 35

Provided that all arrears of rates made by overseers in respect of any contribution towards the expenses of the Borough of Dover which remain due on that date in respect of hereditaments in the added area may be collected, recovered, and paid over by the overseers as if this Order had not been made.

Parish burgess
lists, &c.

Art. VII. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of all matters in relation thereto, the added area shall be deemed to have always been part of the Borough, and the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may, in so far as the same relates 40 45

A.D. 1894.

*Margate
Order.*

to the added area, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out, revising, or otherwise dealing with such lists and roll, or the lists of county electors and the county register, or the lists and registers of parochial electors, the Local Government Board may make such Order as shall appear to them to be necessary to remove any such difficulty and to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to such lists, roll, and registers.

Art. VIII. Subject, as regards any future alteration of the wards hereby constituted, to the provisions of the Municipal Corporations Act, 1882, and any Act amending the same, the following provisions shall have effect:—

Division into
wards.

(1.) For the purposes of the election of Councillors the Borough shall continue to be divided into four wards, to be termed respectively the Cliftonville Ward, the Cecil Ward, the Marine Ward, and the Pier Ward.

(2.) Each of the said wards shall comprise the portion of the Borough indicated by a separate colour and distinguished by the name of the ward on the maps, each marked "Map of the Wards of the Borough of Margate, 1894," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office, within fourteen days after the date of this Order.

(3.) Three Councillors shall be assigned to each of the said wards.

Art. IX. For the purposes of the election of the Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and ninety-four, the following provisions shall apply:—

Special provisions for first
election in
1894, and for
retirement of
existing
Councillors
and Aldermen.

(1.) The town clerk and the Mayor of the existing Borough, or such other persons as the Local Government Board shall appoint, shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882, and the Mayor of the existing Borough, or such other person as he shall appoint, shall be the returning officer at the election for each ward.

(2.) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and ninety-four; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and ninety-four.

(3.) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and ninety-four, shall go out of office on that date, and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and ninety-four, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November, One thousand eight hundred and ninety-four.

A.D. 1894.

*Margate
Order.*Retirement of
Councillors
and Aldermen
elected in 1894.

Art. X.—(1.) The Councillors elected for the Borough in the year One thousand eight hundred and ninety-four in pursuance of this Order shall retire as follows:—

(a.) The Councillor for each ward who is elected by the smallest number of votes on the First day of November, One thousand eight hundred and ninety-five.

(b.) The Councillor for each ward who is elected by the largest number of votes on the First day of November, One thousand eight hundred and ninety-seven.

(c.) The other Councillor for each ward on the First day of November, One thousand eight hundred and ninety-six.

(2.) The Aldermen elected for the Borough in the year One thousand eight hundred and ninety-four in pursuance of this Order shall retire as follows:—

(a.) The two Aldermen who are elected by the smallest number of votes on the Ninth day of November, One thousand eight hundred and ninety-seven.

(b.) The other two Aldermen on the Ninth day of November, One thousand nine hundred:

Provided that, if for any reason it is doubtful which of the Councillors or Aldermen, as the case may be, ought to retire on the dates above specified, the Council of the Borough shall, on the Ninth day of November, One thousand eight hundred and ninety-four, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes, by the casting vote of the chairman, determine which of the Councillors or Aldermen, as the case may be, shall go out of office on the dates above specified respectively.

Byelaws, &c.

Art. XI. All byelaws and regulations, and tables of fees and payments, made by the Corporation as a Sanitary Authority, or a Municipal Authority, or otherwise, which, on the appointed day, are in force in the existing Borough, shall thenceforth apply to the Borough until or except in so far as any of such byelaws, regulations, fees, and payments may be altered, revised, or repealed; and any byelaws and regulations made by the Rural Authority shall on that date cease to be in force or have any effect in any part of the added area:

Provided that any proceedings which might have been taken by the Rural Authority against any person for any offence against such last-mentioned byelaws and regulations committed before the appointed day may be taken by the Corporation.

Town clerk
and other
officers
continued.

Art. XII.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough, whether as a Municipal or Sanitary Authority, who hold office on the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the Borough, and shall hold their offices by the same tenure as at that date.

Borough
auditors.

(2.) The auditors who shall be in office on the appointed day shall continue in office, and shall be the Borough Auditors, until the next ordinary day of election of the Borough Auditors.

A.D. 1894.

*Margate
Order.*

Compensation
to existing
officers.

Art. XIII. Every officer who, by virtue of this Order, or of anything done in pursuance or in consequence thereof, suffers any direct pecuniary loss by abolition of office, or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss ;
5 and, in determining such compensation, regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888, to be had in regard in cases of compensation under that section, and the compensation shall not exceed the limit therein mentioned, and shall be paid in the case of any such officer whose office or employment relates wholly or partly
10 to sanitary purposes as defined by the Public Health Act, 1875, out of the district fund and general district rate of the Borough, and in the case of any other such officer out of the borough fund and borough rate of the Borough, and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required.

15 Art. XIV.—(1.) If on the appointed day any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Rural Authority, whether acting as a Sanitary Authority or a Highway Authority, in relation exclusively to any part of the added area, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may
20 be continued, prosecuted, and enforced by or against the Corporation of the Borough.

Actions, &c.
not to abate.

(2.) Anything duly done or suffered, and all contracts, deeds, bonds, agreements, and other instruments (subsisting on the appointed day) entered into or made by the Rural Authority, whether acting as a Sanitary Authority or a
25 Highway Authority, in relation exclusively to any part of the added area, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be continued and enforced as fully and effectually as if, instead of the Rural Authority, the Corporation had done or suffered the same or been a party thereto.

Saving for
contracts, &c.

30 Art. XV. All property vested in the Corporation on the appointed day for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough, and the Corporation shall hold, enjoy, and exercise, for the benefit of the Borough, all the powers which, at the date aforesaid, are exercisable by or vested in the Corporation for the benefit of the existing
35 Borough, and all liabilities which, on the date aforesaid, attached to the Corporation in respect of the existing Borough shall attach to them in respect of the Borough.

Corporation
property and
liabilities.

Art. XVI.—(1.) All property and liabilities which immediately before the appointed day are vested in or attach to the Rural Authority, whether acting
40 as a Sanitary Authority or a Highway Authority, in relation exclusively to any part of the added area, shall be transferred to, vested in, and attach to the Corporation as Urban Authority, and any property or liabilities vested in or attached to the Rural Authority, whether acting as a Sanitary Authority or as a Highway Authority, in relation to any part of the added area conjointly
45 with the remainder of the Rural District or some part thereof, shall be a matter for adjustment under Section 62 of the Act of 1888.

Property, &c.
of Rural
Authority.

A.D. 1894.

*Margate
Order.*Cesser of
jurisdiction of
Rural
Authority.

(2.) The Rural Authority, both as a Sanitary Authority and as a Highway Authority shall, on the appointed day, cease to exercise any powers or duties within any part of the added area :

Provided that all arrears of rates made by any overseers before the appointed day for the purposes of the Public Health Act, 1875, or the Highway Acts, 5 and which remain due on that date in respect of hereditaments in the added area, may be collected and recovered by the overseers as if this Order had not been made, and when collected and recovered shall be respectively applied towards the discharge of any precept of the Rural Authority (whether as a Sanitary Authority or a Highway Authority), which at that date shall be in 10 force and not satisfied, and the balances, if any, shall be paid to the Corporation.

Mortgage
debts of
Corporation.

Art. XVII. So much of any sums borrowed by the Corporation as will on the appointed day be owing and charged upon the district fund and general district rate of the existing Borough shall be charged upon the district fund and general district rate of the Borough, and so much of any sums borrowed by 15 the Corporation as will on that date be owing and charged upon the borough fund and borough rate of the existing Borough shall be charged upon the borough fund and borough rate of the Borough, and all such sums shall, together with the interest to accrue due thereon, be repaid by the Corporation within the respective periods for which the loans in respect of which the said 20 sums are owing were originally sanctioned, or within which the same are otherwise required to be repaid or are made repayable.

Rating of
certain
premises.

Art. XVIII. The general district rate to be assessed and levied upon the house and grounds belonging or reputed to belong to Captain Charles Taddy Hatfeild, and known as Hartsdown (and which are more particularly delineated 25 and coloured green on two maps each sealed by the Local Government Board, one of which is deposited in their office and the other of which shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order), shall not in any one year, until the Twenty-fifth day of March, One thousand nine hundred and nine, exceed such an amount in 30 the pound as, when added to the borough rate assessed and levied upon those premises for the same year, will make up a total rate of one shilling and eightpence in the pound :

Provided that until the said premises shall be entered in the valuation list of the parish as a separate rateable hereditament, the assessable value of the said 35 premises, for the purposes of any general district rate, shall be deemed to be one hundred and twenty pounds :

Provided also, that this Article shall cease to have any effect, if and when the said premises shall cease to be occupied as a private residence.

Audit of
accounts.

Art. XIX. The accounts of the Rural Authority, whether acting as a Sanitary 40 Authority or as a Highway Authority, and of their officers, up to the appointed day, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like incidents and consequences as if this Order had not been made.

Art. XX. The unrepealed provisions of the scheduled Local Acts, and of any other Local Act affecting the existing Borough or the Corporation, and of the Confirmation Acts mentioned in the Schedule to this Order, so far as they respectively relate to the Orders, or to the extent shown in that Schedule, and of any Provisional Order of the Local Government Board affecting the existing Borough which may be confirmed by Parliament during the present session of Parliament, as the same respectively are in force within the existing Borough on the appointed day, shall, subject to any alteration made therein by this Order, extend and apply to the Borough, and any reference therein to the existing Borough and the Corporation thereof shall be deemed to refer to the Borough and the Corporation thereof.

A.D. 1894.

Margate
Order.

Scheduled
Acts and
Orders.

Art. XXI. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall take effect:—

Electoral
divisions, &c.

(1.) The above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the appointed day, operate as if the Borough of Margate mentioned therein were the Borough and not the existing Borough.

(2.) The added area shall cease to form part of the Thanet Electoral Division of the County of Kent, and the Northern Electoral Division of the Borough shall be altered so as to be coincident in area with the Cliftonville and Pier Wards of the Borough as constituted by this Order, and the Southern Electoral Division of the Borough shall be altered so as to be coincident in area with the Cecil and Marine Wards of the Borough as so constituted.

(3.) The persons who immediately prior to the appointed day are the County Councillors of the County of Kent representing the Thanet Electoral Division, and the Northern and Southern Electoral Divisions of the existing Borough respectively, shall, from and after that date, represent those electoral divisions respectively, as altered by this Order, as if they had been originally elected to represent the altered divisions.

Art. XXII. The provisions of the Infectious Disease (Notification) Act, 1889, the Infectious Disease (Prevention) Act, 1890, the Public Health Acts Amendment Act, 1890, and of Part III. of the Housing of the Working Classes Act, 1890, shall be in force within and apply to the Borough as if the same had been adopted therein.

Adopted Acts.

Art. XXIII. This Order may be cited as the Borough of Margate Order, 1894.

Short title.

A.D. 1894.

Margate
Order.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
27 Geo. III. c. xlv. - -	An Act for rebuilding the Pier of Margate in the Isle of Thanet, in the County of Kent; for ascertaining, establishing, and recovering certain Duties in lieu of the ancient and customary Droits, for the Support and Maintenance of the said Pier; for Widening, Paving, Repairing, Cleansing, Lighting, and Watching the Streets, Lanes, Highways, and Public Passages in the Town of Margate, and Parish of Saint John the Baptist, in the said Isle of Thanet; for settling the Rates of Porters, Chairmen, Carters, and Carmen within the said Town; and for preventing Encroachments, Nuisances, and Annoyances therein. 5 10 15
39 Geo. III. c. ii. - -	An Act to amend and render more effectual an Act, passed in the Twenty-seventh Year of the Reign of His present Majesty, for rebuilding the Pier of Margate in the Isle of Thanet, in the County of Kent; and for other Purposes mentioned in the said Act. 20
49 Geo. III. c. cxvii. -	An Act to amend and render more effectual two Acts, for the Maintenance and Support of the Pier and Harbour, and paving and lighting the Town of Margate, in the County of Kent. 25
52 Geo. III. c. clxxxvi. -	An Act for separating the Management of the Harbour of Margate, in the County of Kent, from the Paving and Lighting of the Town of Margate, and for vesting the future Management of the said Harbour in a Joint Stock Company of Proprietors. 30
53 Geo. III. c. lxxxii. -	An Act for more effectually Paving, Lighting, Watching, and improving the Town of Margate, in the County of Kent.
6 Geo. IV. c. xx. - -	An Act to amend and render more effectual several Acts relative to the paving, lighting, watching, and improving the Town of Margate, in the Parish of Saint John the Baptist in the County of Kent; for erecting certain Defences against the Sea for the Protection of the said Town; and for making further Improvements in and about the said Town and Parish. 35 40
40 & 41 Vict. c. ccvii. -	The Margate Extension and Improvement Act, 1877.
52 & 53 Vict. c. cxxxii. -	The Margate Coal Dues Act, 1889.

PART II.—CONFIRMATION ACTS.

A.D. 1894.

Session and Chapter.	Short Title.	Order thereby confirmed, or part of Act applicable to Margate.
5 14 & 15 Vict. c. xcvi.	The Public Health Supplemental Act, 1851 (No. 2).	The Provisional Order dated 4th July, 1851.
30 & 31 Vict. c. lxxvii.	The Local Government Supplemental Act, 1867 (No. 4).	Sections 1, 2, 3, and 4.
10 47 & 48 Vict. c. cxxii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1884.	The Provisional Order dated 4th June, 1884.

15 Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.
(L.S.) G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

BOROUGH OF TUNBRIDGE WELLS.

*Tunbridge
Wells
Order.*

20 *Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act, 1888.*

To the Mayor, Aldermen, and Burgesses of the Borough of Tunbridge Wells ; —

To the Justices of the Peace for the said Borough ; —

25 To the Justices of the Peace for the County of Kent, in Quarter Sessions assembled ; —

To the County Council of Kent ; —

To the Southborough Local Board, being the Sanitary Authority for the Urban Sanitary District of Southborough, in the same County ; —

30 To the Highway Board for the Highway District of Tonbridge, in the same County ; —

To the Guardians of the Poor of the Tonbridge Union, in the Counties of Kent and East Sussex, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

35 To the Tonbridge Burial Board ; —

To the Southborough Burial Board ; —

And to all others whom it may concern.

WHEREAS by Section 54 of the Local Government Act, 1888 (which Act is
herein-after referred to as "the Act of 1888"), the Local Government Board are <sup>51 & 52 Vict.
c. 41</sup>

A.D. 1894. empowered to make a Provisional Order for altering the boundary of any Borough, and by such Order to divide or alter any electoral division ;

*Tunbridge
Wells
Order.*

And whereas the Borough of Tunbridge Wells, in the County of Kent, is a Borough within the meaning of the Act of 1888, and the inhabitants of the Borough are a body corporate, by the name of the Mayor, Aldermen, and Burgesses of the Borough of Tunbridge Wells, and act by the Council of the Borough, which now consists of the Mayor (who is also an Alderman), seven other Aldermen, and twenty-four Councillors ;

And whereas the area of the Borough of Tunbridge Wells (herein-after referred to as "the existing Borough") is coloured pink on the two maps (herein-after referred to as "the Borough maps"), each marked "Map of the Borough of Tunbridge Wells, as extended, 1894," and sealed with the official seal of the Local Government Board ;

And whereas the existing Borough is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority ;

And whereas the existing Borough has a separate commission of the peace and a separate police force, and is, for the purposes of the election of Town Councillors, divided into four wards, termed respectively. the North Ward, the East Ward, the South Ward, and the West Ward ;

And whereas the unrepealed provisions of the Local Acts mentioned in the Schedule to this Order (which Acts are herein-after together referred to as "the scheduled Local Acts"), and of the Confirmation Acts mentioned in the said Schedule, so far as those Acts relate to the Provisional Orders mentioned in that Schedule, or otherwise affect the existing Borough, are in force in the existing Borough ;

52 & 53 Vict.
c. 72.

And whereas the Corporation have adopted the Infectious Disease (Notification) Act, 1889, and the provisions of that Act are accordingly in force in the existing Borough ;

And whereas the Council of the existing Borough are, under the Burial Acts, 1852 to 1871, the Burial Board for the existing Borough ;

And whereas the Local Government District of Southborough, in the County of Kent (herein-after referred to as "the Southborough District"), adjoins the existing Borough, and the Southborough Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority for that District ;

52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.
53 & 54 Vict.
c. 39.

And whereas the Local Board have adopted—

(a.) The Infectious Disease (Notification) Act, 1889 ;

(b.) The Infectious Disease (Prevention) Act, 1890 ; and

(c.) The Public Health Acts Amendment Act, 1890 ;

and the provisions of those Acts are accordingly in force in the Southborough District ;

And whereas the Southborough Burial Board are under the Burial Acts, 1852 to 1871, the Burial Board for the Southborough District, and that Board have provided a burial ground, and have for that purpose borrowed money, of which the sum of fifty pounds now remains unpaid ;

And whereas the part of the Parish of Tonbridge, in the County of Kent, which is not comprised in the existing Borough, in the Southborough District,

or in the Local Government District of Tunbridge, is a contributory place (herein-after referred to as "the contributory place") in the Rural Sanitary District of the Tonbridge Union (herein-after referred to as "the Rural District"), of which the Guardians of the Poor of that Union (herein-after referred to as "the Rural Authority") are the Sanitary Authority ;

A.D. 1894.
—
*Tunbridge
Wells
Order.*

And whereas the Rural Authority have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act, 1889 ;

(b.) The Infectious Disease (Prevention) Act, 1890 ; and

(c.) Part III. of the Public Health Acts Amendment Act, 1890, which are applicable to Rural Sanitary Districts ;

and those provisions are accordingly in force in the Rural District ;

And whereas the contributory place is a highway parish in the Highway District of Tonbridge, and the Highway Board for that District (herein-after referred to as "the Highway Board") is the Highway Authority for that District ;

And whereas the contributory place is within the District of the Tonbridge Burial Board, who have provided a burial ground for their District, and for that purpose have borrowed money, of which the sum of five hundred and sixty pounds now remains unpaid ;

And whereas by virtue of the Elementary Education Acts, 1870 to 1891, the existing Borough and the part of the Parish of Tonbridge which is not included in the existing Borough are School Districts, the School Attendance Committee appointed by the Council of the existing Borough having jurisdiction in that Borough, and the School Attendance Committee appointed by the Guardians of the Poor of the Tonbridge Union having jurisdiction in the said part of the Parish of Tonbridge ;

And whereas the existing Borough comprises the Tonbridge Electoral Division (3) of the County of Kent, otherwise termed the North-East Electoral Division of Tunbridge Wells, and the Tonbridge Electoral Division (4) of the County of Kent, otherwise termed the South-West Electoral Division of Tunbridge Wells, and the Southborough District and the contributory place are included in the Tonbridge Electoral Division (5) of that County ;

And whereas by virtue of Section 1 of the Local Government Act, 1894 (herein-after referred to as "the Act of 1894"), the contributory place will, subject to any alteration made in pursuance of that or any other Act, become a separate parish, and such separate parish will be a rural parish, for which there will be a parish council ;

56 & 57 Vict.
c. 73.

And whereas by virtue of sub-section 2 of Section 36 of the Act of 1894, the part of the Parish of Tonbridge which is comprised within the existing Borough will, unless the County Council for special reasons otherwise direct, and subject as aforesaid, become a separate parish :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect :—

51 & 52 Vict.
c. 41.

Art. I. This Order shall, except so far as is otherwise herein expressly provided, or as there may be anything in the subject-matter or context

Commence-
ment of Order.

A.D. 1894. inconsistent therewith, come into operation on the Ninth day of November, One thousand eight hundred and ninety-four (which date is herein-after referred to as "the appointed day") :

Tunbridge Wells Order.

Date of operation of Order for parish burgess lists, &c.
51 Vict. c. 10.

Provided that, for the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and 5 the Acts amending the same, of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, and any Act amending that Act, of the lists or register of parochial electors, and any other lists or register to be made in pursuance of the Act of 1894, of all proceedings preliminary or relating to any municipal election to be held on the next ordinary 10 day of election, and of all proceedings preliminary or relating to the first election of urban district councillors for the Southborough District, and of parish councillors for the Rural Parish of Tonbridge, this Order shall operate from the date of the Act of Parliament confirming the same :

Provided also, that for the purposes of the Act of 1894 the Urban District 15 of Tunbridge Wells, as extended by this Order, shall be deemed to have been so extended prior to the passing of that Act and the Parish of Tonbridge to be divided accordingly by that Act.

Definitions.

Art. II. In this Order—

- (1.) The expression "the Borough" means the Borough as extended by this 20 Order ;
- (2.) The expression "the added area" means the part of the Southborough District and the part of the Rural District added to the existing Borough by this Order.

Extension of Borough.

Art. III. The boundary of the existing Borough shall be altered so as to 25 include, in addition to the area of the existing Borough, the part of the Southborough District which is coloured yellow on the Borough maps, and the part of the Rural District (being a portion of the contributory place) which is coloured blue on the Borough maps, and the altered boundary shall be that shown by the red line on the Borough maps, and the whole of the 30 area included within such altered boundary shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be the Borough.

45 & 46 Vict. c. 50.

Deposit of maps.

Art. IV.—(1.) One of the Borough maps shall be deposited in the office of the Local Government Board, and the other shall be deposited by the town clerk 35 of the Borough at his office, within fourteen days after the date of this Order. Copies of the Borough map deposited with the town clerk, certified by him to be true, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council of Kent, to the clerk to the Local Board, to the clerk of the Rural Authority, and to the Director- 40 General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be evidence.

(2.) Copies of or extracts from the Borough map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as relates 45 to the boundaries of the Borough ; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough, and any such person shall be entitled to a copy of or extract from

such map, certified by the town clerk to be true, on payment of a reasonable fee, to be determined by the Council of the Borough for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

A.D. 1894.

Tunbridge Wells Order.

- 5 Art. V.—(1.) On the appointed day such a number, if any, and such members, if any, of the police force of the County of Kent as shall be determined by agreement, to be made as soon as practicable after the date of the Act of Parliament confirming this Order, between the Standing Joint Committee of the County of Kent and the Watch Committee of the existing Borough, or, in default
10 of such agreement, as shall be determined by a Secretary of State, shall be transferred to and become part of the police force of the Borough, and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made, and while performing similar duties shall receive not less remuneration and
15 be entitled to not less pension (if any) than if this Order had not been made.

County police

(2.) The provisions of Section 15 (2) of the Police Act, 1890, shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if such member had removed with the written sanction of the Chief Constable of the County of Kent.

53 & 54 Vict.
c. 45.

- 20 Art. VI.—(1.) The powers and duties of the justices of the peace appointed for the existing Borough, of the clerk to such justices, and of the police constables and other peace officers of the existing Borough, shall extend to and apply throughout the Borough.

Jurisdiction of
justices, &c.
extended.

- (2.) Every person committing an offence in the added area prior to the
25 appointed day shall be tried, adjudicated on, and dealt with as if this Order had not been made.

Art. VII. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of all matters in relation thereto, the added area
30 shall be deemed to have always been part of the Borough, and the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may be done as soon as practicable after such date, and if so done shall have full force and effect; and if any
35 difficulty arise in making out, revising, or otherwise dealing with such lists and roll, or the lists of county electors and the county register, or the lists and register of parochial electors, the Local Government Board may make such Order as shall appear to them to be necessary to remove any such difficulty, and to give effect to the provisions of this Order, and may vary, so far as shall be
40 necessary, the provisions in force with regard to such lists, roll, and registers.

Parish burgess
lists, &c.

- Art. VIII. Subject to the provisions of the Municipal Corporations Act, 1882, and any Act amending the same, as to the alteration of wards, the Borough shall, for the purposes of the election of Councillors, continue to be divided into four wards, and the added area shall be included in the East Ward, and the
45 Councillors representing that ward who will not go out of office on the First day of November, One thousand eight hundred and ninety-four, shall be deemed from and after the appointed day to represent the altered ward.

Alteration
of wards.

A.D. 1894.

*Tunbridge
Wells
Order.*
Byelaws.

Art. IX. All byelaws and regulations and any list of tolls and table of fees made by the Corporation as a Sanitary Authority, or as a Municipal Authority, or as a Burial Board, or otherwise, which, on the appointed day, are in force in the existing Borough, shall thenceforth apply to the Borough until or except in so far as any such byelaws, or regulations, or list of tolls, or table of fees may be altered or repealed; and any byelaws and regulations made by the Local Board or the Rural Authority shall on that date cease to be in force or have any effect within the added area: Provided that any proceedings which might have been taken by the Local Board or the Rural Authority against any person for any offence against such byelaws and regulations committed before the appointed day may, so far as such offence was committed in any part of the added area, be taken by the Corporation. 5 10

Town clerk
and other
officers
continued.

Art. X. The town clerk and all other officers and servants of the Corporation of the existing Borough, whether as a Municipal or Sanitary Authority, or as a Burial Board, who hold office on the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the Borough, and shall hold their offices by the same tenure as at that date. 15

Compensation
to existing
officers.

Art. XI. Every officer who, by virtue of this Order, or of anything done in pursuance or in consequence thereof, suffers any direct pecuniary loss by abolition of office, or by diminution or loss of fees or salary, shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss; and, in determining such compensation, regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888, to be had in regard in cases of compensation under that section, and the compensation shall not exceed the limit therein mentioned, and shall be paid in the case of any such officer whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act, 1875, out of the district fund and general district rate of the Borough, and in the case of any other such officer out of the borough fund and borough rate of the Borough, and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required. 20 25 30

Actions, &c.
not to abate.

Art. XII.—(1.) If on the appointed day any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board, the Rural Authority, or the Highway Board in relation exclusively to any part of the added area, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may be continued, prosecuted, and enforced by or against the Corporation of the Borough. 35

Saving for
contracts. &c.

(2.) Anything duly done or suffered, and all contracts, deeds, bonds, agreements, and other instruments (subsisting on the appointed day) entered into or made by the Local Board, the Rural Authority, or the Highway Board in relation exclusively to any part of the added area, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be continued and enforced as fully and effectually as if, instead of the Local Board, the Rural Authority, or the Highway Board, as the case may be, the Corporation had done or suffered the same or been a party thereto, and the Local Board, the Rural Authority, and the Highway Board shall on the appointed day deliver to 40 45

the town clerk of the Borough any such contract, deed, bond, agreement, or other instrument.

A.D. 1894.

Tunbridge Wells Order.

Corporation property and liabilities.

Art. XIII. All property vested in the Corporation on the appointed day for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough, and the Corporation shall hold, enjoy, and exercise, for the benefit of the Borough, all the powers which, at the date aforesaid, are exerciseable by or vested in the Corporation for the benefit of the existing Borough, and all liabilities which, on the date aforesaid, attached to the Corporation in respect of the existing Borough shall attach to them in respect of the Borough.

Art. XIV.—(1.) Subject as herein-after provided, all property and liabilities which immediately before the appointed day are vested in or attached to the Local Board, the Rural Authority, or the Highway Board in relation exclusively to any part of the added area shall be transferred to, vested in, and attach to the Corporation as Urban Authority, and any property or liabilities vested in or attached to those Authorities in relation to the added area conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888, and the provisions of that section shall apply.

Property, &c. of Local Boards, Rural Authority, and Highway Board.

(2.) The Corporation shall pay to the Local Board the amount of the expenditure incurred by the Local Board since the Twenty-fifth day of March, One thousand eight hundred and ninety-three, or to be incurred by the Local Board before the appointed day in the execution of works of water supply or sewerage in the part of the Southborough District hereby added to the Borough, and the amount so paid in respect of works of water supply shall be paid by the Corporation out of the waterworks account established by the Tunbridge Wells Water Act, 1865, and in respect of works of sewerage out of the district fund of the Borough.

(3.) So much of any moneys borrowed by the Local Board, and so much of any moneys borrowed by the Rural Authority, for the purposes of works of sewerage and sewage disposal for the contributory place, as will remain unpaid on the appointed day, and the interest thereon, shall be defrayed out of rates levied in the part of the Southborough District, or of the contributory place, as the case may be, not by this Order added to the Borough :

Provided that nothing herein contained shall prejudice or affect any mortgage or other security which may have been given by the Local Board or the Rural Authority in respect of the said moneys, or the rights and powers of the persons entitled under such mortgage or other security to enforce the same, as if this Order had not been made.

(4.) The Local Board, the Rural Authority, and the Highway Board shall cease to exercise any powers or duties within any part of the added area :

Cesser of jurisdiction of Local Board, Rural Authority, and Highway Board.

Provided that all rates made by the Local Board, but not paid before the appointed day, in respect of any hereditaments in the added area may be collected and recovered by the Corporation, and any arrears of rates made by any Overseers or Waywarden for the purposes of the Public Health Act, 1875, or the Highway Acts, and which remain due on that date in respect of any hereditaments in the added area may be collected and recovered by the Overseers or the Waywarden, as the case may be, as if this Order had not been made, and when collected and recovered shall be respectively applied towards

A.D. 1894. the discharge of any precept of the Rural Authority or the Highway Board, as
 Tunbridge the case may be, which at that date shall be in force and not satisfied, and the
 Wells balances, if any, shall be paid to the Corporation.
 Order.

Art. XV.—(1.) The Local Board shall from time to time repair, maintain, 5
 cleanse, and water so much of the street in their District known as the North
 Farm Road as lies between the arch under the railway near the south-west
 corner of the Corporation sewage lands and the boundary of the Borough, and
 shall exonerate and indemnify the Corporation from any liability or claim now
 attaching to or which may hereafter be made against the Corporation in respect
 of the said portion of such street. 10

(2.) In the event of the Corporation constructing a new outfall sewer in lieu
 of the conduit or drain referred to in the Indenture of Special Covenants dated
 the Thirty-first day of May, One thousand eight hundred sixty-nine, and made
 between William Arthur Smith of the one part, and the Commissioners who were
 the predecessors of the Corporation of the other part, the Local Board shall 15
 have the same right of causing sewage to be discharged into the new sewer from
 such part of their District as on the Twenty-seventh day of September, One
 thousand eight hundred and seventy-three, formed part of the Colebrook Park
 Estate, and is on the High Brooms side of the railway, as they now have of
 discharging such sewage into the said conduit or drain. 20

(3.) The Local Board shall be entitled to cause the sewer for conveying the
 sewage from any houses erected on their gas lands to communicate with the
 sewers of the Corporation :

Provided that the Local Board shall exclude from such sewer any washing or
 other substance produced in making or supplying gas or residual products, and 25
 shall also exclude, as far as practicable, storm waters and surface and subsoil
 water.

(4.) The Local Board shall be entitled to a right of way for themselves, their
 agents, workmen, and others, with or without horses and other animals, carts,
 carriages, and other vehicles, and also to a right to lay and maintain gas and 30
 water mains from their gas lands over the Corporation Farm Road under the
 railway arch into North Farm Road, the Local Board making good all damage
 occasioned to the Corporation Farm Road by the laying of such gas and water
 mains.

(5.) So long as the said gas lands are in the occupation of the Local Board, 35
 the Corporation shall repay to them all rates made or levied by the Corporation
 (other than water rates or rents) which may be assessed on and paid by the
 Local Board in respect of the said lands or of any buildings thereon or of any
 railway siding connected therewith.

Mortgage debts of Corporation. Art. XVI. So much of any sums borrowed by the Corporation, and charged 40
 upon the district fund and general district rate of the existing Borough, as will on
 the appointed day be owing shall be charged upon the district fund and general
 district rate of the Borough, and so much of any sums borrowed by the Corporation,
 and charged upon the borough fund and borough rate of the existing Borough, as
 will on that date be owing shall be charged upon the borough fund and borough 45
 rate of the Borough, and all such sums shall, together with the interest to accrue
 due thereon, be repaid by the Corporation within the respective periods for which

the loans in respect of which the said sums are owing were originally sanctioned, or within which the same are otherwise required to be repaid or are made repayable.

A.D. 1894.

*Tunbridge
Wells
Order.*

Council to be
Burial Board.

Art. XVII.—(1.) The Council of the Borough shall be the Burial Board for
5 the Borough, and shall have within the Borough, to the exclusion of any other
Burial Authority, all the powers, rights, duties, and liabilities of a Burial Board
under the Burial Acts, 1852 to 1871.

(2.) From and after the appointed day the Southborough Burial Board and
the Tonbridge Burial Board respectively shall be the Burial Board for the
10 respective areas now subject to their jurisdiction, and which will not be added
to the Borough by this Order, and any burial ground provided by them shall
be deemed to have been provided only for such areas respectively, and the
inhabitants of the added area shall cease to have any rights of burial in any
such burial ground :

Diminution of
Districts of
Burial Boards.

15 Provided that nothing in this Article contained shall prejudice or affect any
exclusive right of burial, or any right of one or more burials, or any right of
placing any monument, tablet, or gravestone, or any similar right which any
person may have acquired in or in relation to any such burial ground prior to the
appointed day.

20 (3.) So much of any moneys borrowed by the Southborough Burial Board and
the Tonbridge Burial Board respectively as will remain unpaid on the appointed
day, and the interest thereon, shall be defrayed out of rates levied in the areas
respectively which will after the appointed day remain subject to their jurisdiction :

25 Provided that nothing in this Order contained shall prejudice or affect any
mortgage or other security which may have been given by the Southborough
Burial Board or the Tonbridge Burial Board respectively in respect of the said
moneys or the rights and powers of the persons entitled under such mortgage or
other security to enforce the same as if this Order had not been made.

(4.) The transfer of the part of the Southborough District to the jurisdiction
30 of the Corporation, as the Burial Board for the Borough as aforesaid, shall not
be deemed or construed to injuriously affect any rights or privileges of the
Tonbridge Burial Board existing at the appointed day.

Art. XVIII. For the purposes of the Elementary Education Acts, 1870 to
1880, any byelaws in force in the existing Borough on the appointed day shall
35 thenceforth apply to the Borough until revoked or altered, and from and after
that day any byelaws made by the School Attendance Committee of the Tonbridge
Union shall cease to operate in any part of the added area.

Education
byelaws.

Art. XIX. The accounts of the Corporation, the Local Board, the Rural
Authority, and the Highway Board, and of the officers of all such Authorities,
40 up to the appointed day shall be audited by the proper officer of the Local
Government Board in like manner and subject to the like incidents and
consequences as if this Order had not been made.

Audit of
accounts.

Art. XX. Subject to the provisions of Section 54 of the Act of 1888, the added
area shall cease to form part of the Tonbridge Electoral Division (5), and shall be
45 included in the Tonbridge Electoral Division (3), otherwise termed the North-
East Electoral Division of Tunbridge Wells, and the persons who imme-
diately prior to the appointed day are the County Councillors of the County of

A.D. 1894. Kent representing those electoral divisions shall, from and after that day, represent those electoral divisions as altered as if they had been originally elected to represent the altered divisions.

*Tunbridge
Wells
Order.*

Art. XXI. The unrepealed provisions of the scheduled Local Acts, and of the Confirmation Acts and Provisional Orders mentioned in the Schedule to this Order, and of any other Local Act affecting the existing Borough or the Corporation, and of any Provisional Order affecting the existing Borough which may be confirmed during the present Session of Parliament, as the same respectively are in force within the existing Borough on the appointed day, shall, except so far as the same may be inconsistent with the provisions of this Order, extend and apply to the Borough, and any reference therein to the existing Borough or the Town of Tunbridge Wells, and the Corporation or their predecessors shall be deemed to refer to the Borough and the Corporation thereof.

Art. XXII.—(1.) The provisions of the Infectious Disease (Notification) Act, 1889, shall be in force within and apply to the Borough as if the same had been adopted therein.

(2.) The provisions of the Infectious Disease (Prevention) Act, 1890, and the Public Health Acts Amendment Act, 1890, shall, subject to the provisions of those Acts and of any Act amending the same, cease to be in force within or apply to any part of the added area, except such sections or parts of the said Acts as have been or may be adopted by the Council of the existing Borough before the appointed day, and from and after that date such sections or parts of Acts shall be in force within and apply to the Borough as if the same had been adopted by the Council thereof.

Art. XXIII. This Order may be cited as the Borough of Tunbridge Wells Order, 1894.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.	
13 Geo. II. c. 11 - -	Rusthall Manor Act, 1739.	30
5 & 6 Vict. c. lxxii. - -	Tunbridge Wells Improvement Act, 1835.	
9 & 10 Vict. c. cccxlix. - -	Tunbridge Wells Improvement Act, 1846.	
26 & 27 Vict. c. lxxi. - -	Rusthall Manor Act, 1863.	
23 & 29 Vict. c. cciv. - -	Tunbridge Wells Water Act, 1865.	
50 & 51 Vict. c. cxxviii. - -	Tunbridge Wells Gas Act, 1887.	35
53 & 54 Vict. c. ccxxxv. - -	Tunbridge Wells Improvement Act, 1890.	

PART II.—PROVISIONAL ORDERS CONFIRMATION ACTS.

A.D. 1894.

1.	2.	3.
Session and Chapter.	Short Title.	Orders relating to Tunbridge Wells thereby confirmed.
5 23 & 24 Vict. c. cxviii.	The Local Government Supplemental Act, 1860 (No. 2).	Order dated 7th July, 1860.
10 27 & 28 Vict. c. lxxxiii.	The Local Government Supplemental Act, 1864 (No. 2).	Two Orders, both dated 11th June, 1864.
29 & 30 Vict. c. cvii.	The Local Government Supplemental Act, 1866 (No. 4).	Order dated 21st June, 1866.
15 30 & 31 Vict. c. lxxxiii.	The Local Government Supplemental Act, 1867 (No. 5).	Order dated 10th June, 1867.
31 & 32 Vict. c. clii.	The Local Government Supplemental Act, 1868 (No. 3).	Order dated 9th May, 1868.
20 50 Vict. c. xv.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act, 1886.	Order dated 1st June, 1886.
25 54 & 55 Vict. c. lxii.	The Electric Lighting Orders Confirmation Act, 1891 (No. 5).	Tunbridge Wells Electric Lighting Order, 1891.

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

COUNTY OF WEST SUSSEX.

*West Sussex
Order.*

*Provisional Order made in pursuance of sub-section (2) of
Section 69 of the Local Government Act, 1888.*

To the County Council of West Sussex ;—

35 And to all others whom it may concern.

WHEREAS by sub-section (1) of Section 69 of the Local Government Act, 1888 (herein-after referred to as "the Act"), the County Council of any Administrative County are empowered to borrow on the security and for the purposes in that sub-section mentioned ; and by sub-section (2) of that section it is provided that where the total debt of the County Council, after deducting the

51 & 52 Vict.
c. 41.

40 [230.] D

A.D. 1894. amount of any sinking fund, exceeds or, if the proposed loan is borrowed, will exceed the amount of one-tenth of the annual rateable value of the rateable property in the County, ascertained according to the standard or basis for the county rate, the amount shall not be borrowed, except in pursuance of a Provisional Order made by the Local Government Board and confirmed by Parliament ; 5

*West Sussex
Order.*

And whereas the County Council of West Sussex (which Council and County are herein-after respectively referred to as "the County Council" and "the County") propose, under the provisions of the Act, to borrow, with the consent of the Local Government Board, the sum of two hundred thousand pounds for the purpose of providing a lunatic asylum, and for other purposes ; 10

And whereas the total debt of the County, after deducting the amount of any sinking fund, will, if the proposed amount is borrowed, exceed the amount of one-tenth of the annual rateable value of the rateable property in the County, ascertained according to the standard or basis for the county rate, and consequently such amount cannot be borrowed except in pursuance of a Provisional Order made by the Local Government Board, and confirmed by Parliament ; and it is expedient that such a Provisional Order should be made : 15

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 69 of the Act, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect :— 20

Art. I. Subject to and in accordance with the provisions of the Act, the County Council may from time to time borrow such sums as will not, together with the sums which they may be authorised to borrow under the Act without a Provisional Order, and the outstanding balance of debt, after deducting the amount of any sinking fund, exceed the sum of two hundred thousand pounds. 25

Art. II. This Order may be cited as the West Sussex Order, 1894.

Given under the Seal of Office of the Local Government Board, this Eighth day of May, One thousand eight hundred and ninety-four. 30

(i.s.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 12).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board re-
lating to the Counties of the Isle of
Wight, London, and West Sussex,
and to the Boroughs of Margate and
Tunbridge Wells.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
10 May 1894.

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[Bill 230.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Isle of Thanet and Stone
Joint Hospital Districts, and to the Leigh and
Atherton and the Stalybridge and Dukinfield Joint
Sewerage Districts.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875:

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows:—

10 **1.** The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall have
full validity and force. The Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Short title,
Provisional Orders Confirmation (No. 13) Act, 1894.

A.D. 1894.

SCHEDULE.

*Isle of
Thanet
Order.*

ISLE OF THANET JOINT HOSPITAL DISTRICT.

Provisional Order for altering a Confirming Act.

To the Isle of Thanet (Urban) Joint Hospital Board ; —

To the Mayor, Aldermen, and Burgesses of the Borough of Margate, being 5
the Urban Sanitary Authority for that Borough ; —To the Mayor, Aldermen, and Burgesses of the Borough of Ramsgate, being
the Urban Sanitary Authority for that Borough ; —To the Broadstairs and Saint Peter's Local Board, being the Sanitary
Authority for the Urban Sanitary District of Broadstairs and Saint 10
Peter's, in the County of Kent ; —To the Guardians of the Poor of the Isle of Thanet Union, in the County
of Kent, being the Sanitary Authority for the Rural Sanitary District
of that Union ; —

And to all others whom it may concern.

15

56 & 57 Vict.
c. cxxxI.

WHEREAS by a Provisional Order of the Local Government Board dated the Seventeenth day of May, One thousand eight hundred and ninety-three, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1893 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Urban Sanitary 20
Districts of Margate, Ramsgate, and Broadstairs and Saint Peter's (which Districts are herein-after referred to as "the Constituent Districts"), were formed into a United District, to be called the Isle of Thanet (Urban) Joint Hospital District for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for 25
the reception of cases of infectious diseases ;

And whereas by Article II. of the Order it was ordered that the Joint Board, which should be the governing body of the said United District, should consist of three ex-officio and fourteen elective members, and should be called the Isle of Thanet (Urban) Joint Hospital Board (herein-after referred to as "the Joint 30
Board") ;

And whereas by Article III. of the Order it was ordered that the ex-officio members should be the persons described in column 3 of the Schedule thereto, and that the elective members should be elected by the several Sanitary Authorities mentioned in column 2 of the said Schedule (herein-after referred 35
to as "the Constituent Authorities") ;

And whereas by Article IV. of the Order it was ordered that the number of members of the Joint Board to be elected by each of the Constituent Authorities

should be that set opposite to the name of each of such Authorities in column 4 of the said Schedule, and that the said members should be chosen by the members of each of the Constituent Authorities from among the members of its own body ;

A.D. 1894.

*Isle of
Thanet
Order.*

5 And whereas it is expedient that the Rural Sanitary District of the Isle of Thanet Union (herein-after referred to as "the Rural District") should be included in the said United District, and that the provisions herein-after contained should be made in connexion therewith :

10 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the of Parliament confirming this Order, the Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall take effect ; viz.,—

38 & 39 Vict.
c. 55.

15 Art. I. This Order shall, except so far as is otherwise herein expressly provided to the contrary, come into operation on the day of the meeting of the Joint Board held next after the first election of members thereof to represent the Rural District as herein-after provided.

20 Art. II. The United District shall be extended so as to include the Rural District, and throughout the Order reference to the Constituent Districts shall be deemed to include the Rural District, and reference to the Constituent Authorities shall be deemed to include the Guardians of the Poor of the Isle of Thanet Union acting as the Sanitary Authority for the Rural District (herein-after referred to as "the Rural Authority").

25 Art. III. The name of the United District shall be altered and shall be the Isle of Thanet Joint Hospital District, and the name of the Joint Board shall be altered and shall be the Isle of Thanet Joint Hospital Board.

30 Art. IV. The number of ex-officio members of the Joint Board shall be increased from three to four, and the number of elective members shall be increased from fourteen to seventeen, and the Schedules to this Order shall be substituted for the Schedule to the Order, and the reference in Articles III. and IV. of the Order to the Schedule thereto shall be deemed to apply to the Schedules to this Order.

35 Art. V.—(1.) The Rural Authority shall, within four weeks from the date of the Act of Parliament confirming this Order, elect three persons from among its own members to be their representatives on the Joint Board, and such three persons, and the ex-officio representative of the Rural Authority, shall come into office as members of the Joint Board on the day of such election.

40 (2.) The clerk to the Rural Authority shall forthwith after such election notify in writing to the clerk to the Joint Board the names, addresses, and occupations of the persons so elected.

Art. VI. The following provision shall be substituted for Article V. of the Order ; viz.,—

45 "Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to members of councils of districts other than boroughs shall, mutatis mutandis, apply to members of the Joint Board."

56 & 57 Vict.
c. 73.

A.D. 1894.

*Isle of
Thanet
Order.*

Art. VII. The following provision shall be substituted for Article XXII. of the Order, viz., "If at any time any new Urban District is formed, including
" the whole or any part of any of the Constituent Districts, or the boundaries of
" any of the Constituent Districts are otherwise altered, or the whole of any of
" the Constituent Districts is created or included in a municipal borough," then
" and in every such case the Local Government Board may, by Order to be
" published as they shall direct, make such provision as to them seems fit for
" adapting the provisions of this Order to the alteration so made, and every
" such Order shall have effect as if the terms thereof were inserted in this
" Order."

Art. VIII. This Order may be cited as the Isle of Thanet Joint Hospital Order, 1894.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.	4.	
Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Borough of Margate -	The Mayor, Aldermen, and Burgesses of the Borough of Margate, acting by the Council.	1	The Mayor - -	5
The Borough of Ramsgate	The Mayor, Aldermen, and Burgesses of the Borough of Ramsgate, acting by the Council.	1	ditto - -	7
The Local Government District of Broadstairs and Saint Peter's.	The Broadstairs and Saint Peter's Local Board.	1	The Chairman of the Local Board.	2

SCHEDULE B.

A.D. 1894.

*Isle of
Thanet
Order.*

RURAL SANITARY DISTRICT.

5	1. Name of District.	2. Name of Sanitary Authority.	3. Ex-officio Member.		4. Elective Members.
			Number.	Description.	Number.
10	The Rural Sanitary District of the Isle of Thanet Union.	The Guardians of the Poor of the Isle of Thanet Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians, acting as the Rural Sanitary Authority, or in case of his being also one of the ex-officio members mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	3
15					
20					

Given under the Seal of Office of the Local Government Board, this
Fifth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

25 LEIGH AND ATHERTON JOINT SEWERAGE DISTRICT.

*Leigh and
Atherton
Order.*

*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

To the Atherton Local Board, being the Sanitary Authority for the Urban Sanitary District of Atherton, in the County of Lancaster ;—

30 To the Leigh Local Board, being the Sanitary Authority for the Urban Sanitary District of Leigh, in the same County ;—

And to all others whom it may concern.

35 WHEREAS the several Sanitary Authorities named in Schedule A. to this Order (herein-after referred to as "Schedule A.") are the Local Authorities for the Urban Sanitary Districts named in that Schedule within the meaning of the Public Health Act, 1875 (herein-after referred to as "the Act") ;

38 & 39 Vict.
c. 55.

And whereas application has been made to the Local Government Board by the said Local Authorities to form the said Urban Sanitary Districts into a United District for the purposes herein-after mentioned ;

40 And whereas the Leigh Local Board, being one of the said Sanitary Authorities, are seized in fee of the lands described in Schedule B. to this Order (herein-after referred to as "Schedule B."), which were acquired by them under the Act for the purpose of the disposal of the sewage of their District ;

A.D. 1894.

*Leigh and
Atherton
Order.*

And whereas the Leigh Local Board have by deed dated the Twenty-third day of October, One thousand eight hundred and ninety-three, entered into an arrangement whereby for the term of seven years a sewer of the Abram Local Board has been allowed to communicate with the sewers of the Leigh Local Board, in consideration of the payment by the Abram Local Board of a sum of twelve shillings and sixpence per annum in respect of each house draining into their sewer :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf, do hereby Order as follows ; viz,—

Art. I. This Order shall come into operation on the First day of December, One thousand eight hundred and ninety-four (herein-after referred to as "the appointed day").

Art. II. The Urban Sanitary Districts named in Schedule A., which Urban Sanitary Districts are herein-after referred to as "the Constituent Districts," shall be formed into a United District, to be called the Leigh and Atherton Joint Sewerage District (herein-after referred to as "the United District"), for the purposes herein-after mentioned.

Art. III. The Joint Board, which shall be the governing body of the United District (herein-after referred to as "the Joint Board"), shall consist of two ex-officio and ten elective members, and shall be called the Leigh and Atherton Joint Sewerage Board.

Art. IV. The ex-officio members shall be the persons described in column 3 of Schedule A., and the elective members shall be elected by the Sanitary Authorities mentioned in column 2 of Schedule A. (herein-after referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of Schedule A., and the said members shall be chosen by each of the Constituent Authorities from among its own members.

56 & 57 Vict.
c. 73.

Art. VI. Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to members of councils of Districts other than Boroughs shall, mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board by each of the Constituent Authorities shall take place at a meeting of the Constituent Authority to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX.—(1.) The members of the Joint Board elected by each Constituent Authority shall go out of office on the day on which the annual meeting of such Authority shall be held, and on such day such Constituent Authority shall elect members of the Joint Board for the ensuing year :

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*Leigh and
Atherton
Order.*

Provided that the notice convening the annual meeting of such Constituent Authority shall specify that the election of members of the Joint Board will take place at that meeting :

5 Order shall continue in office till the annual meeting of the Constituent Authorities respectively held in the year One thousand eight hundred and ninety-six.

10 (2.) Subject to the provisions of subdivision (1) of this Article, an elective member of the Joint Board shall continue in office until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

15 Provided always, a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

20 Art. X. Any casual vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing
25 to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as
30 the Joint Board may appoint ; and at all meetings of the Joint Board three members shall constitute a quorum.

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

35 (3.) Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting,
40 or at such earlier time as the Joint Board may from time to time direct.

(5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be
45 submitted to the Joint Board for approval : Provided that a committee so appointed shall in no case be authorised to borrow money, or to issue any precept for contributions, or to enter into any contract, and it shall be subject to

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*Leigh and
Atherton
Order.*56 & 57 Vict.
c. 73.

the provisions of Part IV. of the First Schedule of the Local Government Act, 1894, so far as they are applicable.

Art. XII. The Joint Board shall at their first meeting; or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding one year, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their treasurer, clerk, officers, and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, officer, and servant shall be removable by the Joint Board at their pleasure :

Provided that the chairman of the Joint Board shall be chosen from amongst the members representing the Constituent Authorities alternately, unless the outgoing chairman be re-elected unanimously, the first chairman to be chosen from amongst the members representing the Leigh Local Board.

Art. XIII. The purposes for which the United District is formed are as follows, viz. :—

- (1.) The purchase of the land described in Schedule B., and such other lands as may from time to time be necessary, and the erecting, making, maintaining, and working of such joint sewers, works, machinery, and plant as may be required for conveying the sewage of the United District to the land described in Schedule B., or to any other convenient place or places where it may be purified, and for purifying the same, by precipitation and filtration, or otherwise, in such manner that it may be discharged into any stream, river, or watercourse without breach of the Rivers Pollution Prevention Act, 1876, or any Act amending the same, or of any other provisions of the law.
- (2.) The construction, maintenance, and working of a sewer along the centre of Orchard Lane.
- (3.) It shall be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of three years from the appointed day, and in default of their so doing they shall be deemed to be a Local Authority which has made default in providing their District with sufficient sewers within the meaning of Section 299 of the Act.

Art. XIV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall for the purposes of this Order have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,—

Of the Act :—

- Sections 14 to 23, and 26 to 34, all inclusive, as to sewerage and drainage.
- Section 153, as to removal of gas and water pipes.
- Sections 173 and 174, relating to contracts.
- Sections 175, 176, and 177, relating to purchase of lands.
- Sections 179 to 181, both inclusive, relating to arbitration.

38 & 39 Vict.
c. 55.

45

Section 192 (except as regards the Inspector of Nuisances), Sections 193 to 197 (both inclusive), and Sections 205 and 206 (except so much of Section 206 as requires the publication in a local newspaper of the annual report), relating to officers and conduct of business of Local Authorities.

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Atherton
Order.*

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 285, relating to the execution of works in adjoining districts, and combination for execution of works.

Section 298, as to costs of Provisional Orders.

Sections 299 (except so far as relates to water supply), 300, 301, and 302, relating to defaulting Local Authorities.

Sections 305 to 309, both inclusive, relating to miscellaneous provisions.

Sections 327, 328, and 329.

Of the Public Health (Officers) Act, 1884:—

Section 2.

47 & 48 Vict.
c. 74.

Of the Public Health (Members and Officers) Act, 1885:—

Section 2.

48 & 49 Vict.
c. 53.

Provided that nothing herein contained shall affect the powers, duties, liabilities, and obligations of the Constituent Authorities with reference to sewers, other than joint sewers, and the main sewer along Orchard Lane constructed and maintained by the Joint Board.

Art. XV. The Leigh Local Board shall sell and the Joint Board shall purchase at such sum as shall be agreed upon, or in case of difference, as shall be settled by arbitration as herein-after provided, all the interest of the Leigh Local Board in the lands described in Schedule B., subject to such reservation to the Leigh Local Board of the right to use part of the said lands for the purposes of a refuse destructor, or for the deposit of nightsoil, upon such terms as may be mutually agreed upon.

Art. XVI.—(1.) The Joint Board, for the purpose of disposing of the sewage of any Sanitary District adjoining the United District, may by agreement, and with the sanction of the Local Government Board, allow the sewers of the Sanitary Authority of any such adjoining Sanitary District to communicate with any of the sewers under the control of the Joint Board as if the Joint Board were a Local Authority within the meaning of Section 28 of the Act.

(2.) During the term of the existing agreement between the Leigh and Abram Local Boards, the Joint Board shall dispose of the sewage so received as aforesaid by the Leigh Local Board from the sewers of the Abram Local Board, and the Leigh Local Board shall pay to the Joint Board such proportion of the annual sum received by them from the Abram Local Board as shall be a fair compensation for the use in respect of the sewage so received of the joint sewers and other works of the Joint Board.

Art. XVII.—(1.) The expenses incurred by the Joint Board in carrying out the purposes for which the United District is formed shall, except so far as is

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*Leigh and
Atherton
Order.*

otherwise herein expressly provided, be defrayed out of a common fund, to be contributed by the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent District, such number to be ascertained from the last published Census at the time of issuing the precepts for obtaining payment of the several contributions. 5

(2.) The expenses incurred by the Joint Board in the construction and maintenance of the main sewer mentioned in subdivision (2) of Article XIII. of this Order shall be defrayed by the Constituent Authorities in equal shares.

(3.) The expenses incurred by the Joint Board in respect of the construction, maintenance, and use of any work for the exclusive benefit of either of the Constituent Districts shall be defrayed by that Constituent District, and the sum payable in respect of such expenses shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District, and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund : 10 15

Provided that if any work of which the cost of construction shall have been so defrayed as aforesaid by one of the Constituent Authorities shall be afterwards used for the benefit of both of the Constituent Authorities, the first-named Constituent Authority shall be entitled to compensation in respect of the cost of construction to be paid by the other Authority. 20

Art. XVIII. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment. 25

Art. XIX. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XX. The provisions of Section 305 of the Act shall apply for the purposes of this Order not only in the cases therein mentioned, but also where the Joint Board desire to exercise the powers thereof for the purpose of discovering or ascertaining any communication with, or opening into, any of the sewers of the Joint Board, or the flowing or passing of any matter into such sewers, or into any drain, channel, or watercourse communicating therewith. 30 35

Art. XXI. For the purposes of this Order all sewers made by the Joint Board shall vest in and be under the control of the Joint Board ; but each Constituent Authority shall be entitled as of right to have communication from any of their sewers into the sewers of the Joint Board, subject to the following provisions : 40

(1.) The communications between the sewers of each Constituent Authority and those of the Joint Board shall be made by the Joint Board at the expense of the Constituent Authority, and such communication shall, when made, be wholly under the control of the Joint Board, and the Joint Board shall at their own cost be at liberty at any time to alter such communication. 45

(2.) After the appointed day, either Constituent Authority proposing to construct any new sewer for the purpose of bringing the sewage of their

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*Leigh and
Atherton
Order.*

District, or of any part thereof, into any sewer of the Joint Board, by a new communication with such last-mentioned sewer, shall, two months at least before they commence the construction of such new sewer, send to the Joint Board plans and sections showing the proposed places of communication and the proposed level at such places of the intended new sewer; and the place of every such communication, and the level thereof of every such new sewer, shall be such as shall be determined by the Joint Board; and every dispute respecting any such determination which may arise between either of the Constituent Authorities and the Joint Board shall be referred to the Local Government Board, whose decision thereon shall be conclusive.

Art. XXII. If at any time after the date of this Order any new urban district is formed including the whole or any part of either of the Constituent Districts, or the boundaries of either of the Constituent Districts are otherwise altered, or the whole of either of the Constituent Districts is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alterations so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIII. If at any time any difference arises between the Joint Board on the one hand and either of the Constituent Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein-before provided for.

Art. XXIV. This Order may be cited as the Leigh and Atherton Joint Sewerage Order, 1894.

The SCHEDULES above referred to.

SCHEDULE A.

30

35

40

1. Name of District.	2. Name of Sanitary or Local Authority.	3. Ex-officio Members.		4. Elective Members.
		Number.	Description.	Number.
The Local Government District of Leigh.	The Leigh Local Board	1	The Chairman of the Local Board.	5
The Local Government District of Atherton.	The Atherton Local Board	1	ditto - -	5

A.D. 1894.

SCHEDULE B.

Leigh and
Atherton
Order.

All those pieces of land situate in the Townships of Bedford and Pennington, in the Local Government District of Leigh, and which are described as follows:—

Description.	Townships.	Contents.			Occupiers.	
		A.	R.	P.		
Hope Carr Farm - -	Pennington - -	97	1	23	John Jackson.	5
Green Fold Farm - -	ditto - -	44	1	13	George Hampson Lee.	
Two Copp Farm - -	ditto - -	15	3	36	Catherine Parsons.	
Bridge-foot Farm - -	Bedford - -	13	1	4	Thomas Berrington.	
Siddall Common - -	ditto - -	2	1	25	Thomas Rothevill.	10
Whitehall Farm - -	Pennington - -	13	2	0	George Hampson Lee.	
Bonny Well Farm - -	ditto - -	16	2	10	Catherine Parsons.	
Land on east side of Pennington Brook.	ditto - -	25	2	24	George Hampson Lee and Edward Leigh.	
	Total Contents - -	228	3	35		15

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Stalybridge
and
Dukinfield
Order.

STALYBRIDGE AND DUKINFIELD JOINT SEWERAGE DISTRICT.
Provisional Order for forming a United District under Section 279 of the Public Health Act, 1875.

20

To the Mayor, Aldermen, and Burgesses of the Borough of Stalybridge, acting by the Council, being the Urban Sanitary Authority for that Borough ;— 25

To the Dukinfield Local Board of Health, being the Sanitary Authority for the Urban Sanitary District of Dukinfield, in the County of Chester ;—

And to all others whom it may concern. 30

WHEREAS the several Sanitary Authorities named in Schedule A. to this Order (herein-after referred to as "Schedule A.") are the Local Authorities for the Urban Sanitary Districts named in that Schedule within the meaning of the Public Health Act, 1875 (herein-after referred to as "the Act") ;

And whereas application has been made to the Local Government Board by the said Local Authorities to form the said Urban Sanitary Districts into a United District for the purposes herein-after mentioned ;

A.D. 1894.

*Stalybridge
and
Dukinfield
Order.*

And whereas the Dukinfield Local Board of Health (herein-after referred to as "the Local Board"), being one of the said Sanitary Authorities, are seized in fee of the lands described in Part I. of Schedule B. to this Order (herein-after referred to as "Schedule B."), which were (with the lands) acquired by them under the Act for the purpose of the disposal of the sewage of their District, and they are also entitled to the rights and easements described in Part II. of Schedule B. ;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf, do hereby Order as follows ; viz,—

38 & 39 Vict.
c. 55.

Art. I. This Order shall come into operation on the First day of December, One thousand eight hundred and ninety-four (herein-after referred to as "the appointed day").

Art. II. The Urban Sanitary Districts named in Schedule A., which Urban Sanitary Districts are herein-after referred to as "the Constituent Districts," shall be formed into a United District, to be called the Stalybridge and Dukinfield Joint Sewerage District (herein-after referred to as "the United District"), for the purposes herein-after mentioned.

Art. III. The Joint Board, which shall be the governing body of the United District (herein-after referred to as "the Joint Board"), shall consist of two ex-officio and eight elective members, and shall be called the Stalybridge and Dukinfield Joint Sewerage Board.

Art. IV. The ex-officio members shall be the persons described in column 3 of Schedule A., and the elective members shall be elected by the Sanitary Authorities mentioned in column 2 of Schedule A. (herein-after referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of Schedule A., and the said members shall be chosen by each of the Constituent Authorities from among its own members.

Art. VI. Such of the provisions of Section 46 of the Local Government Act, 1894, as relate to members of councils of Districts other than Boroughs, shall, mutatis mutandis, apply to members of the Joint Board.

56 & 57 Vict.
c. 73.

Art. VII. The first election of members of the Joint Board by each of the Constituent Authorities shall take place at a meeting of the Constituent Authority to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

A.D. 1894.

*Stalybridge
and
Dukinfield
Order.*

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an *ex-officio* member of the Joint Board, whichever shall first happen. 5

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected. 10

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy. 15 20

Art. XI.—(1.) The first meeting of the Joint Board shall be held at the Town Hall, Stalybridge, on such date and at such time as may be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board, unless the Joint Board determine otherwise, shall be held alternately at the offices of the Local Board and at the said Town Hall at such times as the Joint Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum. 25

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board. 30

(3.) Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct: Provided that in case of emergency it shall be sufficient if the notices of a meeting of the Joint Board are delivered or sent one clear day before the day of meeting. 35 40

(5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval: Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions, or to enter into any contract, and it shall be subject to 45

the provisions of Part IV. of the First Schedule of the Local Government Act, 1894, so far as they are applicable. A.D. 1894.

*Stalybridge
and
Dukinfield
Order.*

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a
5 chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding one year, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their treasurer, clerk, officers,
10 and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, officer, and servant shall be removable by the Joint Board at their pleasure: Provided that the Chairman of the Joint Board shall be chosen from amongst the members representing the Constituent Authorities alternately, unless the outgoing chairman be re-elected unanimously.

15 Art. XIII.—(1.) The purposes for which the United District is formed are as follows:—

(a.) The making and maintaining of a main or intercepting sewer, situate wholly in the Township of Dukinfield, and commencing in Park Road at the boundary between the Constituent Districts running along Park Road to
20 Wharf Street, along Wharf Street and under the Peak Forest Canal, thence through the Dukinfield Gas Works, through Plantation Farm under Ashton Street, and terminating at the northern boundary of the lands described in Part I. of Schedule B.

(b.) The making and maintaining of such other main sewer, or main sewers, or
25 works as may be required for the reception and disposal of the sewage from the sewers of the Constituent Districts.

(c.) The making and maintaining, or the completion and maintaining, of a sewer made or intended to be made by the Local Board, and known or to be known as the Dukinfield High Level Intercepting Sewer, from
30 the point where such sewer enters upon the land described in Part I. of Schedule B.

(d.) The purchase of the land described in Part I. of Schedule B., and such other lands as may from time to time be necessary, and the erecting, making, maintaining, and working of such works, machinery, and plant as may be re-
35 quired for conveying the sewage of the United District to the land described in Part I. of Schedule B., or to any other convenient place or places where it may be purified, and for purifying the same, by precipitation and filtration, or otherwise, in such manner that it may be discharged into any stream, river, or watercourse without breach of the Rivers Pollution Prevention Act,
40 1876, or any Act amending the same, or of any other provisions of the law.

(2.) It shall be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of three years from the appointed day, and in default of their so doing they shall be deemed to be a Local Authority which has made default in providing their District
45 with sufficient sewers within the meaning of Section 299 of the Act.

Art. XIV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members

A.D. 1894. and Officers) Act, 1885, shall apply, and the Joint Board shall for the purposes of this Order have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable ; viz.,—

*Stalybridge
and
Dukinfield
Order.*

38 & 39 Vict.
c. 55.

Of the Act :—

Sections 14 to 20, and 26 to 34, all inclusive, as to sewerage and drainage.

Section 153, as to removal of gas and water pipes.

Sections 173 and 174, relating to contracts.

Sections 175, 176, and 177, relating to purchase of lands.

Sections 179 to 181, both inclusive, relating to arbitration.

Section 192 (except as regards the Inspector of Nuisances), Sections 193 to 197 (both inclusive), and Sections 205 and 206 (except so much of Section 206 as requires the publication in a local newspaper of the annual report), relating to officers and conduct of business of Local Authorities.

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.

Section 285, relating to the execution of works in adjoining districts, and combination for execution of works.

Section 298 as to costs of Provisional Orders.

Sections 299 (except so far as relates to water supply), 300, 301, and 302, relating to defaulting Local Authorities.

Sections 305 to 309, both inclusive, relating to miscellaneous provisions.

Sections 327, 328, and 329.

47 & 48 Vict.
c. 74.

Of the Public Health (Officers) Act, 1884 :—

Section 2.

48 & 49 Vict.
c. 53.

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

Provided that nothing herein contained shall affect the powers of the Constituent Authorities with reference to sewers, other than main sewers, or to any other works required for the sewerage of either of the Constituent Districts, and not for that of the other Constituent District.

Art. XV. The Local Board shall sell and the Joint Board shall purchase at the sum of twenty-two thousand two hundred and seven pounds and ten shillings all the interest of the Local Board in the lands and easements described in Schedule B.

Art. XVI.—(1.) The Joint Board, for the purpose of disposing of the sewage of any Sanitary District adjoining the United District, may by agreement, and with the sanction of the Local Government Board, allow the sewers of the Sanitary Authority of any such adjoining Sanitary District to communicate with any of the sewers under the control of the Joint Board as if the Joint Board were a Local Authority within the meaning of Section 28 of the Act.

(2.) The Joint Board, for the purpose of disposing of the sewage of part of the Urban Sanitary District of Audenshaw, shall, on the request of the Audenshaw

Local Board, and with the sanction of the Local Government Board, allow the sewers of that Local Board to communicate with any of the sewers or works under the control of the Joint Board on such terms and conditions as may be agreed upon, or, in case of dispute, as may be settled and determined by the Local Government Board, as if the Joint Board were a Local Authority within the meaning of Section 28 of the Act, and the provisions of that section shall apply as if the Joint Board had agreed to admit such sewage thereunder.

A.D. 1894.

—
Stalybridge
and
Dukinfield
Order.

Art. XVII. The expenses incurred by the Joint Board in carrying out the purposes for which the United District is formed shall be defrayed out of a common fund, to be contributed by the Constituent Districts respectively, in manner following :—

- (1.) The expenses of constructing and completing the joint main or intercepting sewer described in paragraph (a) of subdivision (1) of Article XIII. of this Order shall be apportioned between the Constituent Authorities in equal proportions;
- (2.) The expenses of purchasing the lands and easements described in Schedule B., and any other lands from time to time acquired, and of erecting and making the works by this Order authorised other than the before-mentioned main or intercepting sewer, and all other expenses incurred by the Joint Board properly chargeable to capital, and the sums required to provide for the repayment of, or for the payment of interest on, borrowed moneys shall be apportioned between the Constituent Districts in the following proportions, viz., three-fifths to the Urban Sanitary District of Stalybridge and two-fifths to the Urban Sanitary District of Dukinfield ;
- (3.) The expenses of the ordinary repairs and maintenance of the joint main or intercepting sewer described in paragraph (a) of subdivision (1) of Article XIII. of this Order shall be defrayed solely by the Local Board, but such ordinary repairs and maintenance shall not include repairs or works of maintenance which may be occasioned by subsidence between the canal in Wharf Street and the lands described in Part I. of Schedule B. ;
- (4.) The expenses of the Joint Board in respect of the maintaining and working of the works by this Order authorised other than the before-mentioned main or intercepting sewer, the establishment charges of the Joint Board, remuneration to treasurer, clerk, officers, and servants, and all other expenses not provided for by subdivision (1) of this Article, shall be apportioned between the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent District, such number to be ascertained from the Report on the Census made under the authority of Parliament last before the time of issuing the precepts for obtaining payment of the several contributions.

Art. XVIII. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment.

Art. XIX. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

A.D. 1894.
Stalybridge
and
Dukinfield
Order.

Art. XX. The provisions of Section 305 of the Act shall apply for the purposes of this Order not only in the cases therein mentioned, but also where the Joint Board desire to exercise the powers thereof for the purpose of discovering or ascertaining any communication with, or opening into, any of the sewers of the Joint Board, or the flowing or passing of any matter 5 into such sewers, or into any drain, channel, or watercourse communicating therewith.

Art. XXI. For the purposes of this Order all sewers made by the Joint Board shall vest in and be under the control of the Joint Board ; but each Constituent Authority shall be entitled as of right to have communication from any of their 10 sewers into the sewers of the Joint Board, subject to the following provisions :—

- (1.) The communications between the sewers of each Constituent Authority and those of the Joint Board shall be made by the Joint Board at the expense of the Constituent Authority, and such communication shall, when made, be wholly under the control of the Joint Board, and the Joint Board 15 shall at their own cost be at liberty at any time to alter such communication.
- (2.) After the appointed day, either Constituent Authority proposing to construct any new sewer for the purpose of bringing the sewage of their District, or of any part thereof, into any sewer of the Joint Board, by a new communication with such last-mentioned sewer, shall, two 20 months at least before they commence the construction of such new sewer, send to the Joint Board plans and sections showing the proposed places of communication and the proposed level at such places of the intended new sewer; and the place of every such communication, and the level thereat of every such new sewer, shall be such as shall be determined 25 by the Joint Board; and every dispute respecting any such determination which may arise between either of the Constituent Authorities and the Joint Board shall be referred to the Local Government Board, whose decision thereon shall be conclusive.
- (3.) The Constituent Authorities shall not be entitled to cause to pass into 30 any sewer or work of the Joint Board any matter or substance by which the free flow of the sewage or surface or storm water may be interfered with, or by which any such sewer or work may be injured, or any chemical refuse, or any waste steam, or water, or other liquid at a higher temperature than 110° Fahrenheit, which, either alone or in combination with the sewage, 35 causes a nuisance, or is dangerous or injurious to health.

The Joint Board may refuse to allow any sewer from which such matters, substances, chemical refuse, waste steam, water, or other liquid are not excluded, to be or remain connected with their sewers or works, and shall have power to do all things necessary to give effect to such a refusal. 40

Art. XXII. If at any time any new urban district is formed including the whole or any part of either of the Constituent Districts, or the boundaries of either of the Constituent Districts are otherwise altered, or the whole of the Urban Sanitary District of Dukinfield is created or included in a municipal borough, then and in every such case the Local Government Board may, by Order, to be 45 published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alterations so made, and to the

incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

A.D. 1894.

*Stalybridge
and
Dukinfield
Order.*

Art. XXIII. If at any time any difference arises between the Joint Board on the one hand and either of the Constituent Authorities on the other hand, or between
5 the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein-before provided for.

Art. XXIV. This Order may be cited as the Stalybridge and Dukinfield Joint
10 Sewerage Order, 1894.

The SCHEDULES above referred to.

SCHEDULE A.

1. Name of District.	2. Name of Sanitary or Local Authority.	3. Ex-officio Members.		4. Elective Members.
		Number.	Description.	Number.
15 Borough of Stalybridge	The Mayor, Aldermen, and Burgesses of the Borough of Stalybridge, acting by the Council.	1	The Mayor	4
20 Dukinfield Local Government District.	The Dukinfield Local Board of Health.	1	The Chairman of the Local Board.	4

SCHEDULE B.

PART I.

25 All those pieces of land situate partly in the Township of Dukinfield and partly in the Township of Newton, both in the County of Chester, known as Bradley Hurst Farm, and containing in the whole 63 acres 1 rood and 32 perches, and bounded on the west and south-west by the River Tame, on the east and north-east by the Peak Forest Canal, on the north and north-west by land and buildings abutting on Ashton
30 Street, and on the south in part by the River Tame and in part by lands belonging, or reputed to belong, to the said Local Board and to the Trustees of Francis Dukinfield Astley, deceased, or Mrs. Gertrude Susan Nicholson.

PART II.

All that the right and liberty granted to the Local Board, their successors and
35 assigns, by a certain Indenture dated the 10th day of April, 1877, and made or expressed to be made between Francis Dukinfield Astley of the first part, and the Local

A.D. 1894. Board of the second part, of laying down and constructing a sewer of such diameter and form, and of such materials as the Local Board shall think fit, through the Plantation or Wood End Farm from the works of the Dukinfield Gas Company to Ashton Street or Shepley Road, in their District, and also from the point marked "A" on the plan mentioned and referred to in the said Indenture, near the junction of the Peak Forest Canal with the Manchester and Ashton Canal to the premises of the said gas company. And also all other rights, easements, and advantages granted to and now or hereafter to be possessed by the Local Board, their successors or assigns, under or by virtue of the above-mentioned Indenture or any other grant or conveyance relating thereto. The like liberty of right of way of the Local Board along the side of the canal now used and to be used by them as a road to their tip. 5 10

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFVEE, President.
HUGH OWEN, Secretary.

15

Stone
Order.

STONE JOINT HOSPITAL DISTRICT.

*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

To the Stone Local Board, being the Sanitary Authority for the Urban Sanitary District of Stone, in the County of Stafford ;— 20

To the Guardians of the Poor of the Stone Union, in the said County, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of 25 Schedules A. and B. to this Order (herein-after respectively referred to as "Schedule A." and "Schedule B.," and jointly as "the Schedules,") are the Local Authorities within the meaning of the Public Health Act, 1875 (herein-after referred to as "the Act"), for the Urban Sanitary District and the Rural Sanitary District named in column 1 of the Schedules : 30

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Act, and by any other Statutes in that behalf, do hereby Order as follows ; viz,—

Art. I. This Order shall come into operation on the First day of December, One thousand eight hundred and ninety-four (herein-after referred to as "the appointed day"). 35

Art. II. The Urban Sanitary District named in column 1 of Schedule A. and the Rural Sanitary District named in column 1 of Schedule B. (which Districts are herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Stone Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases. 40

Art. III. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and six elective members, and shall be called the Stone Joint Hospital Board (herein-after referred to as "the Joint Board").

A.D. 1894.

*Stone
Order.*

5 Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedules, and the elective members shall be elected by the Sanitary Authorities mentioned in column 2 of the Schedules (herein-after referred to as "the Constituent Authorities").

10 Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the Schedules, and the said members shall be chosen by each of the Constituent Authorities from among its own members.

15 Art. VI. Such of the provisions of Section 46 of the Local Government Act, 1894, as relates to members of Councils of Districts other than boroughs, shall, *56 & 57 Vict. c. 73.*
mutatis mutandis, apply to members of the Joint Board.

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the appointed day, or within such further time as the Local Government Board may allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

25 Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names, addresses, and occupations of the persons elected by such Authority as members of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

30 Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article VI. of this Order, be re-eligible as a member of the Joint Board, if at the time of re-election he is qualified to be so re-elected.

40 Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority, and such clerk shall forthwith notify in writing to the clerk to the Joint Board the name, address, and occupation of the person elected to fill such vacancy.

A.D. 1894.

*Stons
Order.*

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board four members shall constitute a quorum :

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board, when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

(3.) Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

(5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval: Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract, and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act, 1894, so far as they are applicable.

56 & 57 Vict.
c. 73.

Art. XII. The Joint Board shall at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles VI. and IX. of this Order, continue chairman for such period, not exceeding three years, as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be registered medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

Art. XIV. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or of either of the Constituent Authorities;
- b. By an order of a Medical Officer of Health of either of the Constituent Authorities;
- c. By an order of a Medical Officer appointed by the Joint Board;
- d. By an order of a Justice made under the provisions of Section 124 of the Act, with the consent required by that section:

Provided that if the Guardians of the Poor of the Stone Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

A.D. 1894.

*Stone
Order.*

- 5 Art. XV. For the purposes of this Order the following sections of the Act, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far
10 as the same are applicable ; viz.,—

Of the Act :—

- Sections 122, 123, 131, and 132, relating to infectious diseases and hospitals.
Sections 173 and 174 (except sub-section 3), relating to contracts.
15 Sections 175, 176, and 177, relating to purchase of lands.
Sections 179 to 181, both inclusive, relating to arbitration.
Sections 192 to 197, both inclusive, and Sections 205 and 206, relating to officers and conduct of business of Local Authorities.
Sections 245, 247, (as amended by the District Auditors Act, 1879,) 249,
20 and 250, relating to audit.
Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to legal proceedings.
Section 298 as to costs of Provisional Orders.
25 Sections 306 to 309, both inclusive, relating to miscellaneous provisions.

Of the Public Health (Officers) Act, 1884 :—

Section 2.

47 & 48 Vict.
c. 74.

Of the Public Health (Members and Officers) Act, 1885 :—

Section 2.

48 & 49 Vict.
c. 53.

- 30 Art. XVI. The Joint Board shall, for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases," be a local authority so as to enable the Local Government Board, by any regulations under those sections, to confer powers and to impose duties on the Joint Board, and so far as regards any powers so conferred and any duties so imposed ;
35 but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities, or any of them, or affect the powers of such Authorities, so far as the same may be required to be exercised in pursuance of such regulations.
40 Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.
45 Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

A.D. 1894.

*Stone
Order.*

Art. XIX.--(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

5

(2.) The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in equal shares.

Art. XX.--(1.) The cost of maintenance of patients shall be ascertained and paid as follows; viz,--

10

(a.) Within fourteen days after Lady Day and Michaelmas Day in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

15

(b.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment (except so far as the same shall be included in the salaries of the medical officer or medical officers, and permanent nurse or nurses), and in and about the clothing, conveyance to and from the hospital, burials, and funerals of patients; and shall also include, during any week in which a patient or patients may have been in the hospital, the remuneration and rations of temporary nurses; but shall not include the cost of the repairs to the hospital, or to the fittings and furniture thereof, or the salaries, remuneration, or rations of the officers or servants other than temporary nurses.

20

25

(2.) The clerk to the Joint Board shall, within twenty-one days after Lady Day and Michaelmas Day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to the Joint Board by or for, such patients,

30

(a) the name of each patient,

(b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital, and

35

(c) the amount (calculated according to the weekly average ascertained as aforesaid) due from such Authority.

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients have been received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund.

40

45

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent

Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment. A.D. 1894.

Stone
Order.

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XXIII. If at any time any new Urban District is formed including the whole or any part of either of the Constituent Districts, or the boundaries of either of the Constituent Districts are otherwise altered, or the whole of either of the Constituent Districts is created or included in a Municipal Borough, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Act, except in any case otherwise herein provided for.

Art. XXV. This Order may be cited as the Stone Joint Hospital Order, 1894.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICT.

1.	2.	3.		4.
		Ex-officio Member.		Elective Members.
Name of District.	Name of Sanitary Authority.	Number.	Description.	Number.
The Local Government District of Stone.	The Stone Local Board	1	The Chairman of the Local Board.	3

A.D. 1894.

Stone
Order.

SCHEDULE B.

RURAL SANITARY DISTRICT.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Rural Sanitary District of the Stone Union.	The Guardians of the Poor of the Stone Union acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also the ex-officio member mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	3

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

20

Local Government Provisional Orders (No. 13).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board
relating to the Isle of Thanet and
Stone Joint Hospital Districts, and
to the Leigh and Atherton and the
Staleybridge and Dukinfield Joint
Sewerage Districts.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
10 May 1894.

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[Bill 231.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Blackburn, Blackpool (two), and Stalybridge, and to the Rural Sanitary District of the Blackburn Union. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provision herein contained should be enacted with reference to certain of such Orders :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. The Orders in schedule confirmed.

2. The sanitary authorities for the rural sanitary district of the Blackburn Union and the urban sanitary district of Blackpool shall not under the powers of this Act, or of the Blackburn Union Order, 1894, or the Blackpool Order, 1894, or the Blackpool Order (No. 2), 1894, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which on the *fifteenth day of December last* were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said *fifteenth day of December*, but have been or shall be subsequently so occupied. Restriction of power to take houses of labouring class.

A.D. 1894. — For the purposes of this section the expression “labouring class” includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than 5 domestic servants whose income does not exceed an average of *thirty shillings* a week, and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board’s Provisional Orders Confirmation (No. 14) Act, 1894.

SCHEDULE.

A.D. 1894.

BOROUGH OF BLACKBURN.

*Blackburn
Order.**Provisional Order for altering certain Local Acts and a
Confirming Act.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Blackburn,
being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

- WHEREAS the Borough of Blackburn (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and
10 Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority, and the unrepealed provisions of the Blackburn Improvement Act, 1879, and the Blackburn Improvement Act, 1882 (which Acts are herein-after collectively referred to as “the Local Acts,” and each of which Acts is herein-after separately referred to as the Act of the year
15 in which it was passed), as altered by the Blackburn Corporation Act, 1892, and by the Provisional Order herein-after recited, and by another Provisional Order of the Local Government Board dated the 30th day of May 1890, and duly confirmed by Parliament, but which does not affect the subject matter of this Order are in force in the Borough ;

42 & 43 Vict.
c. cxvi.
45 & 46 Vict.
c. cxxliii.
55 & 56 Vict.
c. cxviii.

- 20 And whereas by Section 48 of the Act of 1879 the Corporation were empowered to borrow (inter alia), for gas purposes, the sum of thirty thousand pounds ; and for waterworks purposes, the sum of twenty thousand pounds ;

- And whereas by Section 145 of the Act of 1882 the Corporation were empowered, subject to the provisions of that Act, to maintain, alter, enlarge,
25 extend, and renew or discontinue the then existing gasworks upon the lands on which the same were erected, or any part thereof, and which lands were described in the Fourth Schedule to that Act, and also to erect, lay down, provide, and from time to time to maintain, alter, improve, enlarge, extend, and renew or discontinue additional and other gasworks, retorts, gasometers, and
30 other works and apparatus and conveniences, and do all such acts as they might think proper for making and storing gas, and for supplying gas within the gas limits, and to make, store, and supply gas accordingly, and to manufacture, sell, provide, supply, and deal in the products or residuum of any materials employed in or resulting from the manufacture of gas ;

- 35 And whereas by Section 146 of the Act of 1882 it was enacted that nothing in that Act contained should authorise the Corporation to manufacture gas or residual products elsewhere than on the lands described in the Fourth Schedule to that Act ;

A.D. 1894.

*Blackburn
Order.*52 & 53 Vict.
c. cxv.

And whereas by a Provisional Order of the Local Government Board dated the First day of June One thousand eight hundred and eighty-nine, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 13) Act, 1889, (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Acts were altered so as to enable the Corporation to borrow (inter alia) for gas purposes the further sum of ten thousand pounds, and for waterworks purposes the further sum of ten thousand pounds ;

5

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, (herein-after referred to as "the commencement of this Order"), the Local Acts and the Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall have effect ; viz,—

15

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, in addition to any sums which they are already authorised to borrow, the sums following ; that is to say,—

- (1.) On the security of the revenue arising from their water undertaking, such sum or sums, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be necessary for the purposes of their water undertaking. 20
- (2.) On the security of the revenue arising from their gas undertaking such sum or sums, not exceeding in the whole the sum of fourteen thousand pounds, as may be required for the payment of compensation in respect of a gas explosion and the costs in connexion therewith. 25
- (3.) On the security of the revenue arising from their gas undertaking such sum or sums, not exceeding in the whole the sum of one hundred and seventy thousand pounds, as may from time to time be necessary for the other purposes of their gas undertaking. 30

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

35

Art. III. The moneys borrowed by virtue of this Order shall be repaid within the following periods ; viz,—

- (1.) Moneys borrowed by virtue of subdivision (2) of Article I. of this Order within a period not exceeding seven years from the date of borrowing ;
- (2.) Moneys borrowed by virtue of subdivision (1) and (3) of Article I. of this Order within such period, not exceeding fifty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ; 40

each of which periods is herein-after referred to as "the prescribed period," and shall be, with reference to the moneys to be repaid therein, the prescribed period for the purpose of the Local Loans Act, 1875. 45

A.D. 1894.
Blackburn
Order.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

10 (a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

15 (b.) By payment to the fund throughout the prescribed period of such equal annual sums as, with accumulations at a rate not exceeding three pounds per centum per annum, will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

20 (3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, 25 stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

30 (4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

35 (5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed: Provided that, in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied, if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

40 (6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation.

45 (b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments

A.D. 1894. to the fund are based, any such excess may be applied towards such equal annual payments.

*Blackburn
Order.*

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order. 5

Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose : Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct. 10 15

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve. 20 25

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct. 30

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine. 35

Art. VI. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow : 40

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other 45

than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

A.D. 1894.

Blackburn
Order.

- 5 Art. VII.—(1.) The treasurer of the Borough shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment, or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any
10 money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and if required by the Board, verified by statutory declaration of such treasurer, showing, for the year next preceding the making of such return, or for
15 such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any
20 portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, such treasurer shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of
25 the Crown in the High Court ; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

- (2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment
30 required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the
35 Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned ; and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

- 40 Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government
45 Board, determine.

Art. IX.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and

A.D. 1894. interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.
Blackburn Order.

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him. 5

Art. X. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation. 10 15

Art. XI. Notwithstanding anything contained in Section 146 of the Act of 1882, the Corporation may, upon the lands described in the Schedule hereto, if and when the same shall have been acquired by them, maintain, repair, renew, and continue, and from time to time construct, alter, enlarge, or, when necessary, remove buildings, apparatus, and works for the manufacture and storage of gas, and of coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and other refuse or residual products arising from the manufacture of gas, and any matters producible therefrom, and dwellings for any persons employed in the said works, and they may, upon the said lands, if and when acquired by them, make and store gas, and convert or manufacture coke, culm, asphaltum, pitch, coal-tar, oil, ammoniacal liquor, and all refuse or residual products arising from the manufacture of gas by them, and any matters producible therefrom. 20 25

Art. XII. This Order may be cited as the Blackburn Order, 1894.

The SCHEDULE above referred to.

All that piece of land containing by estimation forty-one acres or thereabouts, situate within the Borough on the south side of the Blackburn and Accrington Railway of the Lancashire and Yorkshire Railway Company, and bounded on the north by the said Railway, on the south by land belonging or reputed to belong to Micah Birtwistle, on the east by land belonging or reputed to belong to Henry John Robinson, and Henry Petra, respectively, and on the west by land belonging or reputed to belong to Henry Livesey. 30 35

Given under the Seal of Office of the Local Government Board, this Eighteenth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President. 40
HUGH OWEN, Secretary.

RURAL SANITARY DISTRICT OF THE BLACKBURN
UNION.

A.D. 1894.

Blackburn
Union
Order.

Provisional Order to enable the Sanitary Authority for the Rural Sanitary District of the Blackburn Union to put in force the Compulsory Clauses of the Lands Clauses Acts.

5

To the Guardians of the Poor of the Blackburn Union, in the County of Lancaster, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

10 WHEREAS the Guardians of the Poor of the Blackburn Union, in the County of Lancaster, as the Sanitary Authority for the Rural Sanitary District of that Union (herein-after referred to as “the Rural Authority”), require to purchase and take the lands described in the Schedule hereto for the following purposes ; viz.,—

- 15 1. The lands mentioned in Part I. of the said Schedule for the disposal of the sewage of the contributory places of Clayton-le-Dale, Ramsgreave, Salesbury, and Wilpshire, in their District, and for providing access to such lands ;
2. The lands mentioned in Part II. of the said Schedule for the disposal of the sewage of the contributory places of Livesey, Pleasington, and Witton,
- 20 in their District, and for providing access to such lands :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have
25 effect ; viz.,—

Art. I. The Rural Authority shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands
30 otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Blackburn Union Order, 1894.

A.D. 1894.

The SCHEDULE above referred to.

Blackburn
Union
Order.

County of LANCASTER.

Nos. and Colours on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.	5
PART I.				
Township of CLAYTON-LE-DALE.				
Pink. 1, 2	Part of a close of land called Bottom Field (including a portion of the bed of the Showley Brook).	The Trustee under the Will of Henry Ward, deceased, viz., Lucas Edleston.	John Ward.	10
Brown. 3, 4, 5, 6	An easement or right of way over the land numbered 1 on the deposited plans to a gate in the high-way leading from Blackburn to Ribchester.	ditto - - -	ditto.	15
PART II.				
Township of PLEASINGTON.				
Pink. 1, 2	Part of a close of land called Lower Meadow (including a portion of the bed of the River Darwen).	Sir William Leyland Feilden, Baronet.	Richard Counsell.	25
Brown. 5, 6	A strip or piece of land now used as a private road.	ditto - - -	ditto.	30
Brown. 7	A strip or piece of land, being a continuation of the before-mentioned private road.	ditto - - -	Sir William Leyland Feilden, Baronet.	35
8	An easement or right of way over the occupation road (uncoloured) leading from Higher Feniscowles Farm to Pleasington Road, at or near Enoch Brow.	ditto - - -	Richard Counsell, James Heap, Joseph Lovsey, Thomas Eastwood, Christopher Brooks.	40
Township of HOGHTON.				
Green. 3, 4	Part of a close of land called Lower Meadow (including a portion of the bed of the River Darwen).	Sir William Leyland Feilden, Baronet.	Richard Counsell.	45

Given under the Seal of Office of the Local Government Board, this
Eighteenth day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

50

BOROUGH OF BLACKPOOL.

A.D. 1894.

Blackpool
Order.
(1.)

Provisional Order to enable the Urban Sanitary Authority for the Borough of Blackpool to put in force the Compulsory Clauses of the Lands Clauses Acts.

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Blackpool, being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Blackpool, as the Urban Sanitary Authority for that Borough (herein-after referred to as "the Corporation"), require to purchase and take the lands situate in the Borough, and which are described in the Schedule hereto, for the following purposes ; viz.,—

1. The lands mentioned in Part I. of the said Schedule for the construction of a new street from Revoe to Cow Gap Lane ;
- 15 2. The lands mentioned in Part II. of the said Schedule for the purpose of opening and extending York Street to the Carriage Drive ;
3. The lands mentioned in Part III. of the said Schedule for the purpose of opening and extending Shaw Road to the Carriage Drive, and widening Victoria Street, South Shore ;
- 20 4. The lands mentioned in Part IV. of the said Schedule for the purpose of improving Cocker Street ;
5. The lands mentioned in Part V. of the said Schedule for the purpose of improving Church Street (south side) ;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz.,—

38 & 39 Vict.
c. 55.

Art. I. The Corporation shall be empowered to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any

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B 2

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Blackpool
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(1.)

existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them : Provided that, as regards the lands numbered 1 and 13 on the deposited plans, and referred to in Part I. of the said Schedule, the powers conferred by this Order shall be exercised by the Corporation only as regards the part of each of those lands which is coloured red on two plans, sealed with Our official seal, one of which is deposited in Our office, and the other of which is deposited in the office of the Corporation.

Art. II. This Order may be cited as the Blackpool Order, 1894.

The SCHEDULE above referred to.

10

Borough of BLACKPOOL.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
PART I.					15
Plan A. 1	Land, field, footpath, and fences.	Anne Elizabeth Robinson.	John Bonny	John Bonny.	
2	ditto - -	ditto - -	ditto - -	ditto.	
4	ditto - -	ditto - -	ditto - -	ditto.	20
6	Land, part of field and fences.	The Cleveleys Property Company, Limited.	- - -	William HenryCocker.	
7	ditto - -	ditto - -	- - -	ditto.	
8	Land, part of field, footpath, and fences.	ditto - -	- - -	Richard Braithwaite.	25
9	ditto - -	ditto - -	- - -	ditto.	
10	Land, part of field, fences, and bed of stream.	ditto - -	- - -	William HenryCocker.	
11	Land, part of field and fence.	ditto - -	- - -	ditto.	30
12	ditto - -	ditto - -	- - -	ditto.	
13	Land, part of field, fence, footpath, and bed of pond.	The Reverend Robert Fisher and Edward Fisher.	- - -	The Reverend Robert Fisher and Edward Fisher.	35
14	Land, part of field, fences, and footpath.	The Cleveleys Property Company, Limited.	- - -	William HenryCocker.	
15	Land, part of field and fences.	ditto - -	- - -	ditto.	40

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*Blackpool
Order.
(1.)*

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	16	Land, part of occupation road.	The Cleveleys Property Company, Limited, and the Reverend Robert Fisher and Edward Fisher.	William Henry Cocker, the Reverend Robert Fisher, and Edward Fisher.
10	17	Land, part of field and fences.	The Cleveleys Property Company, Limited.	William Henry Cocker.
PART II.				
15	Plan B. 1	Land, beerhouse ("Washington Hotel") dwelling-house, yard, buildings, and verandah.	Betsy Dutton - George Barrett.	George Corless Barrett.
20	2	Land and building or stall.	ditto - - -	Henry Smith.
	3	ditto - -	ditto - - -	Joseph Whittaker.
25	4	Land, shop, photographic gallery, rooms, and yards.	Elias Fletcher - Fred Ash -	Fred Ash.
	5	Land and shop, or saloon.	ditto - - -	George Fowler.
	6	Land, shop or saloon, and yards.	ditto - - -	Henry Smith.
30	7	Land and shop, and covered stall.	ditto - - -	Henry Smith, Joseph Ezra Greenhalgh, William Barrett.
	8	Land, shop, and yard	ditto - - -	James Troughton.
35	9	Land - -	Betsy Dutton - -	George Corless Barrett, Henry Smith, Joseph Whittaker.
	10	ditto - -	Elias Fletcher - -	Fred Ash, Henry Smith, Joseph Ezra Greenhalgh, William Barrett.
40	11	Land, shop, and yard	ditto - - -	John Thomas Fish.
	12	ditto - -	ditto - - Alfred Farr -	Alfred Farr.
	13	Land, shop, and yards	ditto - - -	John Thomas Fish.
45	14	Land, shop, and yard	ditto - - -	Henry Smith, Alfred Myring.
	15	Land and shop -	ditto - - -	Henry Smith, Nathan Farrar.
	16	Land and yards	ditto - - -	John Thomas Fish, Alfred Farr
50	17	Land and yard -	ditto - - -	John Thomas Fish.

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Blackpool
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(1.)

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*Blackpool
Order.*
(1.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
PART III.					
Plan C.					
1	Land, part of garden, and palisading.	Cornelius Salthouse, Christopher Salthouse, William Salthouse, James Salthouse, and Elizabeth Porter.	- - -	Ann Whalley, Walter Raleigh Hooper.	5
2	Land, wall, outbuildings, and part of yard.	ditto - -	- - -	ditto.	10
3	Land and passage, -	Cornelius Salthouse, Christopher Salthouse, William Salthouse, James Salthouse, and Elizabeth Porter; and Jenny Ann Dickson and Jane Ann McNaughtan.	- - -	Ann Whalley, Walter Raleigh Hooper, and William Barrett Hopwood.	15
4	Land and part of yard	ditto - -	- - -	Thomas Porter.	20
PART IV.					
Plan D.					
1	Land, shop, and stalls	John Lord - -	- - -	Edwin Francis Hoyle.	25
1A	Land, garden, palisading, and hoarding.	ditto - -	- - -	Edwin Francis Hoyle, Elizabeth Allen, Humphrey Nicholson, and the Blackpool South Shore Pier and Pavilion Company, Limited.	30
2	Land, dwelling-house, palisading, yard, and outbuildings.	ditto - -	- - -	Edwin Francis Hoyle and Isabella Reeves.	35
3	ditto - -	ditto - -	- - -	Edwin Francis Hoyle and Elizabeth Allen.	
4	Land, beerhouse ("Brewers' Arms"), dwelling-house, yard, and outbuildings.	ditto - -	- - -	Edwin Francis Hoyle.	40
4A	Land - - -	ditto - -	- - -	Edwin Francis Hoyle, Isabella Reeves, and Elizabeth Allen.	45
5	Land, dwelling-house and shop, yard, and outbuildings.	ditto - -	- - -	Mary Ellen Mulvey.	
6	Land, dwelling-house, yard, and outbuildings.	ditto - -	- - -	John Whiteside.	50
7	ditto - -	ditto - -	- - -	Thomas Thompson.	
8	Land, shop, and yard	John Lord and Edwin Francis Hoyle.	- - -	Edwin Francis Hoyle and Robert Gale.	55

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
5	9	Land, wall, yard, outbuildings, and hoardings.	John Lord - - - - -	Mary Ellen Mulvey, John Whiteside, Thomas Thompson, the Blackpool Winter Gardens and Pavilion Company, Limited.
10				
		PART V.		
	Plan E. 1	Land, wall, posting station, and post.	The Blackpool Winter Gardens and Pavilion Company, Limited. - - -	The Blackpool Winter Gardens and Pavilion Company, Limited.

A.D. 1894.

Blackpool Order.
(1.)

15 Given under the Seal of Office of the Local Government Board, this Twenty-first day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary.

20

BOROUGH OF BLACKPOOL.

Blackpool Order.
(2.)

Provisional Order for altering the Blackpool Improvement Act, 1865, and partially repealing and altering certain Confirming Acts.

25

To the Mayor, Aldermen, and Burgesses of the Borough of Blackpool, being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

30

WHEREAS the Borough of Blackpool (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority, and the unrepealed provisions of the Blackpool Improvement Act, 1865 (herein-after referred to as “the Local Act”), as altered by the Provisional Orders herein-after recited, and by certain other Local Acts and Provisional Orders duly confirmed by Parliament, but which do not affect the subject-matter of this Order, are in force in the Borough ;

28 & 29 Vict.
c. cxxiv.

35

And whereas by Section 12 of the Local Act the Layton with Warbrick Local Board (who were the predecessors of the Corporation, and are herein-after referred to as “the Local Board”) were empowered to make and maintain (inter alia)—

40

(a.) A carriage drive and promenade or parade (herein-after referred to as “the carriage drive and parade”) along or near to part of the seashore at the western side of their District ;

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(2.)

(b.) Sea walls, embankments, lodges, gates, fences, seats, and other works and conveniences for the purposes of or in connexion with the carriage drive and parade; and

(c.) The improving from time to time of the several works and conveniences so made;

5

And whereas by Section 46 of the Local Act the Local Board were empowered to borrow on mortgage of their general district rates all such sums, not exceeding in the whole thirty thousand pounds, as they might think requisite for any of the purposes of that Act;

30 & 31 Vict.
c. lxvii.

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Thirteenth day of May, One thousand eight hundred and sixty-seven, and duly confirmed by the Local Government Supplemental Act, 1867 (No. 4) (which Order and Act are herein-after respectively referred to as "the Order of 1867" and "the Confirming Act of 1867"), certain provisions of the Local Act with respect to the carriage drive and parade by that Act authorised were altered;

10

15

31 & 32 Vict.
c. cliii.

And whereas by another Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Fourth day of June, One thousand eight hundred and sixty-eight, and duly confirmed by the Local Government Act, 1868 (No. 6) (which Order and Act are herein-after respectively referred to as "the Order of 1868" and "the Confirming Act of 1868"), the Local Board were empowered to borrow, for the execution under the provisions of the Local Act of certain permanent works, on mortgage of the rates leviable by the Local Board under the Local Act such sums as they might from time to time be authorised by the sanction of the Secretary of State to borrow, up to an amount which, when added to the amounts of the loans already sanctioned by him under both the Local Act and the Local Government Act, 1858, should not exceed in the whole two years' assessable value of the premises assessable under such Act within the District of the Local Board; and it was provided that the whole of such sums should be repaid, with interest thereof, within a period of fifty years from the date of the borrowing thereof;

20

25

30

And whereas all the powers, duties, and liabilities which vested in or attached to the Local Board under the unrepealed provisions of the Local Act and the Order of 1867 and the Order of 1868 are now vested in or attached to the Corporation;

35

50 & 51 Vict.
c. clxxx.

And whereas by Article VII. of a Provisional Order of the Local Government Board dated the Sixth day of June, One thousand eight hundred and eighty-seven, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act, 1887 (which Order and Act are herein-after respectively referred to as "the Order of 1887" and "the Confirming Act of 1887"), Section 18 of the Local Act was altered so as to render liable to a penalty any person who hawks, offers, or exposes for sale or sells any goods, wares, merchandise, or thing whatsoever on the parade, or on any sea wall or embankment made for the purposes of or in connexion with the carriage drive and parade, or on any road or slade leading from the carriage drive and parade to the seashore:

40

45

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act and the

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Order.
(2.)38 & 39 Vict.
c. 55.

5 Confirming Acts of 1867 and 1887, so far as they respectively relate to the Orders of 1867 and 1887, shall be altered so as to provide as follows :—

Art. I. The Corporation may widen, enlarge, protect, or otherwise improve the carriage drive and parade, or either of them, in such manner and to such extent as the Local Government Board may from time to time approve, and for that

10 purpose may, with the approval of the Local Government Board, acquire any lands by agreement, make, place, erect, maintain, and remove all such walls, embankments, groynes, arches, piling, sewers, drains, pipes, footways, roadways, pavements, and other works, conveniences, and appliances as may be requisite or convenient, and all the provisions of the Local Act, as altered by the Order

15 of 1867 and the Order of 1887, shall apply to the carriage drive and parade so widened, enlarged, protected, or otherwise improved.

Art. II. The Corporation shall not construct on the shore of the sea, or of any creek, bay, arm of the sea, or navigable river communicating therewith, where and so far up the same as the tide flows and reflows, any work without

20 the previous consent of the Board of Trade, to be signified in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade, and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of, such approval being signified as last aforesaid ; and where any such work may have been constructed, the Corporation

25 shall not at any time alter or extend the same without obtaining, previously to making any such alteration or extension, the like consent or approval. If any such work be commenced or completed contrary to the provisions of this Order, the Board of Trade may abate and remove the same, and restore the site thereof to its former condition at the cost and charge of the Corporation, and the

30 amount of such costs and charges shall be a debt due from the Corporation to the Crown, and shall be recoverable accordingly with costs.

Art. III. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the district fund and general district rate of the Borough such sums, not exceeding

35 in the whole the sum of twenty thousand pounds, as may from time to time be necessary for the purposes of Article I. of this Order.

Art. IV. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply

40 to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. V. The moneys borrowed under this Order shall be repaid within such period, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ; and the period so determined and sanctioned is herein-after referred to as the

45 “prescribed period,” and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

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—
Blackpool
Order.
(2.)

Art. VI.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order (other than moneys borrowed under the provisions of the Local Loans Act, 1875,) by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of 5 them.

(2.) Subject to the provisions of Article VII. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

(a.) By payment to the fund throughout the prescribed period of such equal 10 annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

(b.) By payment to the fund throughout the prescribed period of such equal annual sums as, with accumulations at a rate not exceeding three pounds 15 and ten shillings per centum per annum, will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating 20 sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of debt, be invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, 25 as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual 30 payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed, or in the purchase for extinction of their own securities although at a premium: Provided that, in the case of an accumulating sinking 35 fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equivalent to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based : 40

Provided also, that in the event of any such purchase of securities at a premium, the payments to the sinking fund shall, if required by the Local Government Board, be increased to such extent and upon such terms as may from time to time be approved by that Board.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not 45 equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal

annual payments to the fund are based, any deficiency shall be made good by the Corporation. A.D. 1894.

*Blackpool
Order.
(2.)*

(6.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order.

Art. VII.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine.

Art. VIII. The Corporation may, from time to time, re-borrow any money borrowed or to be borrowed by virtue of this Order, and paid off otherwise than by instalments, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account, not being borrowed moneys: Provided always, that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu

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(2.)

of which such re-borrowing is made, and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

5

Art. IX.—(1.) The borough treasurer shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be paid as an instalment, or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the borough treasurer, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, the borough treasurer shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court, and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. X. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

A.D. 1894.

Blackpool
Order.
(2.)

10 Art. XII.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payments of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

15 (2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

20 Art. XIII. So much of the Confirming Act of 1868 as relates to the Order of 1868 shall be repealed, except so far as the same may have been acted upon, so that the Order of 1868 shall, except as aforesaid, cease to have any effect :

Provided that nothing herein contained shall be deemed to alter or affect the repayment of any money borrowed in pursuance of the Order of 1868.

25 Art. XIV. This Order may be cited as the Blackpool Order (No. 2), 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of May, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

30

BOROUGH OF STALYBRIDGE.

Stalybridge
Order.

Provisional Order for partially repealing a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Stalybridge, being the Urban Sanitary Authority for that Borough ;—

35 And to all others whom it may concern.

WHEREAS the Borough of Stalybridge is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority ;

40 And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State, dated the Fifteenth day of June, One thousand eight hundred and sixty-nine, and duly confirmed by the Local Government Supplemental Act, 1869 (No. 2) (which Order and Act are herein-after respectively referred to as "the Order" and the "Confirming Act"), the Corporation were

32 & 33 Vict.
c. cl.

A.D. 1894.
Stalybridge
Order.

empowered to borrow on mortgage, under the provisions of, and for the purposes and upon the rates and securities mentioned in, a Local Act passed in the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter forty-seven, such amount (not exceeding in the whole two years' assessable value of the premises assessable within their District) as they might from time to time 5 receive the sanction of the Secretary of State to borrow, the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof;

And whereas one of Her Majesty's Principal Secretaries of State, by Instruments dated respectively the Sixth day of September, One thousand 10 eight hundred and sixty-nine, and the Third day of May, One thousand eight hundred and seventy, and made in pursuance of the Confirming Act, sanctioned the borrowing of sums amounting in the whole to the sum of twelve thousand pounds, but the Corporation have borrowed sums amounting in the whole to the sum of thirty-six thousand nine hundred and forty-seven pounds eighteen shillings 15 and elevenpence on mortgages purporting to have been made under the Confirming Act;

And whereas of the said sum of thirty-six thousand nine hundred and forty-seven pounds eighteen shillings and elevenpence the sum of twenty thousand four hundred and nineteen pounds ten shillings now remains unpaid: 20

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall have effect; 25 viz.,—

Art. I. So much of the Confirming Act as relates to the Order shall be repealed, except so far as it may have been acted upon so that the Order shall, except as aforesaid, cease to have any effect:

Provided that nothing herein contained shall be deemed to alter or affect the 30 repayment of any money borrowed in pursuance of the above-recited sanctions of one of Her Majesty's Principal Secretaries of State.

Art. II.—(1.) The Corporation shall, within a period of five years from the commencement of this Order, repay the sum of thirteen thousand nine hundred pounds, being part of the said sum of twenty thousand four hundred and 35 nineteen pounds ten shillings.

(2.) For the purposes of such repayment the Corporation may, with the sanction of the Local Government Board, borrow under and in accordance with the provisions of the Public Health Act, 1875, the whole or any part of the said sum of thirteen thousand nine hundred pounds. 40

Art. III. This Order may be cited as the Stalybridge Order, 1894.

Given under the Seal of Office of the Local Government Board, this Nineteenth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President. 45
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 14).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Blackburn, Blackpool (two), and Stalybridge, and to the Rural Sanitary District of the Blackburn Union.

(*Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre.*)

*Ordered, by The House of Commons, to be Printed,
22 May 1894.*

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[Bill 236.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Bolton, Brighton, and St. Helens, and to the Wisbech and Walsoken Main Sewerage District. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provision herein contained should be enacted with reference to certain of such Orders :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. The Orders in schedule confirmed.

2. The urban sanitary authorities mentioned in the Bolton Order (No. 2), 1894, and the St. Helens Water Order, 1894, shall not, under the powers of this Act or of those Orders, without the consent of the Local Government Board, purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied, either wholly or partially, by persons belonging to the labouring class as tenants or lodgers. Restriction of power to take houses of labouring class.

For the purposes of this section the expression "labouring class" includes mechanics, artisans, labourers, and others working for

[Bill 237.]

A

A.D. 1894. wages, hawkers, costermongers, persons not working for wages but
— working at some trade or handicraft without employing others
except members of their own family, and persons other than
domestic servants, whose income does not exceed an average of
thirty shillings a week, and the families of any of such persons who 5
may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's
Provisional Orders Confirmation (No. 15) Act, 1894.

SCHEDULE.

A.D. 1894.

Bolton
Order.
(2.)

BOROUGH OF BOLTON.

*Provisional Order for partially repealing and altering certain
Local Acts and a Confirming Act.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Bolton, being
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

- WHEREAS the Borough of Bolton (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority, and the unrepealed provisions of the Bolton Improvement Act, 1854, the Bolton Improvement Act, 1877, and the Bolton Improvement Act, 1882, all which Acts are herein-after together referred to as “the Local Acts,” and each of which Acts is herein-after referred to as the Act of the year in which it was passed), as altered by the Provisional Order herein-after recited and by certain other Local Acts and Provisional Orders duly confirmed by Parliament, but which do not affect the subject-matter of this Order, are in force in the Borough ;

17 & 18 Vict.
c. clix.
40 & 41 Vict.
c. clxxxviii.
45 & 46 Vict.
c. cxxlii.

- And whereas by Section 103 of the Act of 1854 the Corporation were authorised to take in their market house, market place, and fairs the tolls mentioned in Schedule B. to that Act ;

- And whereas by Section 156 of the Act of 1854 the Corporation were authorised to borrow at interest on mortgage or bond, or by way of annuity, or otherwise, on the security of the borough fund and the property from time to time vested in the Corporation under or for the purposes of that Act, and the rates and tolls by that Act granted, or any of such borough fund, property, rates, and tolls, or any part thereof respectively, such sums as the Corporation from time to time might think necessary, not exceeding fifty thousand pounds, and, with the approval of the Treasury, on the security of the borough fund such further sums for any of the purposes of that Act as the Corporation from time to time might think fit ;

- And whereas by Section 67 of the Act of 1877 the Corporation were empowered (in addition to the lands which they were authorised to acquire and hold under the other powers of that Act) from time to time to acquire in fee, either by purchase, or by way of exchange, or otherwise, any land not exceeding in the whole (inter alia) for waterworks purposes ten acres, or any easement, power, or privilege therein, thereunder, thereover, or thereupon (not being an easement or privilege of water), which should be deemed necessary by the Corporation ;

- And whereas by a Provisional Order of the Local Government Board dated the Thirty-first day of May, One thousand eight hundred and eighty-eight, and

4 *Local Government Provisional Orders* [57 VICT.]
(No. 15).

A.D. 1894. confirmed by the Local Government Board's Provisional Orders Confirmation
Bolton
Order.
(2.) to as "the Order" and "the Confirming Act"), Section 67 of the Act of 1877
51 & 52 Vict. fifty acres" in lieu of the words "for waterworks purposes ten acres," and the 5
c. cxxxi. other powers of the Corporation contained in the Local Acts to purchase lands
by agreement for waterworks purposes were repealed so far as they had not been
acted on ;

And whereas by Article II. of the Order Section 83 of the Act of 1882 was
altered so as to enable the Corporation, subject to the provisions of the Order, to 10
borrow on the security of the revenue arising from the water undertaking
authorised by the Local Acts, and of the borough fund and borough rate, or
upon either of such securities, any sum or sums, not exceeding in the whole the
sum of eighty thousand pounds, for the purposes of the water undertaking, in
addition to the sums which they were authorised to borrow under the Local 15
Acts :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any
other Statutes in that behalf, do hereby Order that, from and after the date of
the Act of Parliament confirming this Order, the Local Acts and the Confirming 20
Act, so far as it relates to the Order, shall be altered so as to provide as
follows :—

Art. I. Parts II. and III. of Schedule B. to the Act of 1854 shall be read
as if the word "pigs" were omitted therefrom, and as if the words "For every 25
" pig not exceeding the sum of twopence " were inserted at the commencement
of each Part ; and Part III. of the said Schedule shall be read as if the words
" superficial square foot " were substituted therein for the words " superficial
square yard."

Art. II.—(1.) Section 156 of the Act of 1854 shall be altered as follows :—

- (a) by the omission of the words "or by way of annuity or otherwise" ; 30
- (b) by the omission of the words "and the property from time to time vested
in the Corporation under or for the purposes of this Act," and "property"
therefrom ; and
- (c) by the substitution of the words "Local Government Board both as to the
amount of the loan and the period within which it is to be repaid" for the 35
word "Treasury" therein.

(2.) The Act of 1854 shall be altered so that the provisions herein-after
contained with regard to the mode of raising, repaying, and re-borrowing of
moneys borrowed by virtue of this Order shall apply to moneys hereafter
borrowed under Section 156 of the Act of 1854 as hereby altered, in lieu of the 40
provisions of the Act of 1854.

Art. III. Section 158 of the Act of 1854 shall be repealed.

Art. IV. The Act of 1877 as altered by the Order shall be further altered so
as to provide that the Corporation may, with the sanction of the Local Govern-
ment Board, purchase or acquire by agreement, but not otherwise, such further 45
lands as may be required for the purposes of their water undertaking.

A.D. 1894.

Bolton
Order.
(2.)

Art. V. Section 83 of the Act of 1882 shall be further altered so as to provide that the Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, on security of the revenue arising from the water undertaking authorised by the Local Acts, and of the
5 borough fund and borough rate, or upon either of such securities, any sum or sums, not exceeding in the whole the sum of one hundred thousand pounds for the purposes of their water undertaking, in addition to the sums which they are authorised to borrow under the Local Acts as altered by the Order.

Art. VI. For the purpose of raising money by virtue of this Order, the
10 provisions of the Local Loans Act, 1875 (including the power of creating and issuing debenture stock), shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys so raised and borrowed on mortgage.

Art. VII. Moneys borrowed by virtue of this Order shall be repaid within
15 such period, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall, in each case, determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

20 Art. VIII.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article IX. of this Order, if the Corporation
25 determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

(a.) By payment to the fund annually during the prescribed period of a sum equal to the amount of principal which would be required to be annually paid to the lender if the loan were repayable by equal annual instalments
30 of principal. A sinking fund so formed is herein-after referred to as a non-accumulating sinking fund; or

(b.) By payment to the fund throughout the prescribed period of such equal annual sums as, with accumulations at a rate not exceeding three pounds per centum per annum, will be sufficient to pay off within the prescribed period
35 the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investment of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed,
40 be immediately invested in statutory securities as defined by Section 94 of the Act of 1882 as amended, the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of

A.D. 1894.

—
Bolton
Order.
(2.)

which the fund is formed : Provided that, in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based. 5

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation. 10

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments. 15

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments to such fund provided for by this Order. 20

Art. IX.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose : Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct. 25 30

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve. 35

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct. 40 45

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied

to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine.

A.D. 1894.

Bolton
Order.
(2.)

- Art. X. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :
- 10 Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

- Art. XI.—(1.) The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be paid as an instalment, or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the town clerk of the Borough, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court ; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

- (2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied

A.D. 1894.

*Bolton
Order.*
(2)

any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court. 5

Art. XII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine. 10

Art. XIII.—(1.) The mortgagees of the Corporation in respect of any moneys borrowed by virtue of this Order may enforce the payment of arrears of interest or principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole. 15

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him. 20

Art. XIV. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation. 25

Art. XV. This Order may be cited as the Bolton Order, (No. 2) 1894. 30

Given under the Seal of Office of the Local Government Board, this
Nineteenth day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.

HUGH OWEN, Secretary. 35

*Brighton
Order.*
(2.)

BOROUGH OF BRIGHTON.

*Provisional Order for altering the Brighton Corporation Loans
Act, 1886.*

To the Mayor, Aldermen, and Burgesses of the Borough of Brighton,
being the Urban Sanitary Authority for that Borough; — 40
And to all others whom it may concern.

WHEREAS the Borough of Brighton (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the

Corporation"), are the Urban Sanitary Authority, and the Brighton Corporation Loans Act, 1886 (herein-after referred to as "the Local Act"), is in force in the Borough;

A.D. 1894.

*Brighton
Order.
(2.)*

49 & 50 Vict.
c. lxiv.

And whereas by Section 5 of the Local Act the Corporation were empowered
5 from time to time, by resolution of the Council, to exercise any statutory borrowing power by the creation of Brighton Corporation Redeemable Stock (herein-after referred to as "Corporation Stock"), to be from time to time issued in accordance with the provisions of that Act; but it was provided that all stock at any time and from time to time so created should be created on and
10 subject to such terms and conditions as that the same should form one and the same class of stock;

And whereas by Section 8 of the Local Act the Corporation are required to establish the Brighton Corporation Loans Fund (herein-after referred to as "the loans fund") for payment of dividends on, and for redemption and extinction
15 or purchase and extinction of, all Corporation Stock;

And whereas by sub-section (3) of Section 10 of the Local Act it is enacted that the amounts of the annual contributions to the loans fund for redemption and extinction, or purchase and extinction, of Corporation Stock shall (subject to reduction as therein mentioned) be such amounts as, with accumulations at
20 the rate of three and a half per centum per annum, shall be from time to time calculated to be sufficient to purchase at its nominal amount the portion of stock towards the purchase and extinction whereof those contributions are payable within the periods therein mentioned;

And whereas by sub-section (5) of Section 10 of the Local Act provision is
25 made for payment of the sums therein mentioned into the loans fund if the extinction of any portion of Corporation Stock is accelerated by the application to such extinction of any part of the loans fund:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by
30 any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Local Act shall be altered so that the following provisions shall take effect; viz.,—

38 & 39 Vict.
c. 55.

Art. I. Any payments made to the loans fund by the Corporation before
35 the commencement of this Order in excess of the amounts required to be paid to that fund upon the basis prescribed by sub-section (3) of Section 10 of the Local Act shall be deemed to have been made in accordance with the provisions of that section.

Art. II.—(1.) Sub-section (3) of Section 10 of the Local Act shall be altered
40 by the insertion therein of the words "at such a rate, not exceeding the rate of " three and a half per centum per annum, as the Corporation shall from time " time, with the approval of the Local Government Board, determine," in lieu of the words "at the rate of three and a half per centum per annum."

(2.) The Corporation may for the redemption and extinction, or purchase and
45 extinction, of Corporation Stock, from time to time, make payments to the loans fund in excess of or addition to the annual contributions for the time being required by Section 10 of the Local Act as hereby altered.

A.D. 1894.

Brighton
Order.
(2.)

Art. III. Sub-section (5) of Section 10 of the Local Act shall, be repealed, and in lieu thereof the following provisions shall be inserted; viz.,—

“ (5.) If before the expiration of the periods prescribed by this section as the basis for the calculation of the payments to the loans fund in respect of any portion of Corporation Stock, the Corporation apply in the redemption and extinction, or purchase and extinction, of stock to that or any less amount any part of the loans fund, then a sum equal to the interest which the part of the loans fund so applied would have produced at the rate per centum on which the payments to the loans fund are, for the time being, calculated shall, in each year, until the expiration of the periods prescribed as aforesaid, be paid into the loans fund out of the revenues of the Corporation chargeable with payment of the contributions to the loans fund in respect of the amount of stock so redeemed and extinguished or purchased and extinguished. 5 10

“ (6.)—(a.) If it appears to the Corporation at any time that the contributions which are being made to the loans fund will not be sufficient to redeem the amount of stock in respect of which such contributions are made within the periods prescribed by this section as the basis for the calculation of the payments to the loans fund in respect of such stock, the amount of such contributions shall be increased to such extent as will be sufficient for that purpose, and the amount of any such increased contributions shall be paid out of the revenues of the Corporation chargeable with the payment of such contributions: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the contributions to such extent as the Board may direct. 15 20 25

“ (b.) The Corporation, with the consent of the Local Government Board, shall at any time have power to reduce the contributions to be made to the loans fund as aforesaid, either temporarily or permanently, in any case in which it appears to that Board that such contributions would, if maintained, be more than sufficient to redeem the amount of stock in respect of which such contributions are made within the periods prescribed by this section. 30

“ (c.) If the amount in the loans fund at any time is, in the opinion of the Local Government Board, sufficient, with accumulations, to redeem any amount of stock within the periods prescribed by this section, the Corporation, with the consent of that Board, may discontinue the payment of contributions to the loans fund in respect of such stock.” 35

Art. IV.—(1.) Notwithstanding anything contained in Section 5 of the Local Act, the Corporation may from time to time exercise any statutory borrowing power by the creation and issue of a new class of Brighton Corporation Redeemable Stock at such price, not being lower than ninety-five per centum, and bearing such dividend, not exceeding three pounds and ten shillings per centum per annum, as the Corporation may, by the resolution for such issue, determine: Provided that all stock at any time and from time to time created under this power shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock, bearing one and 40 45

the same rate of dividend, and shall become redeemable as herein-after provided at the expiration of the same period from the first creation of the stock.

A.D. 1894.

*Brighton
Order.
(2.)*

(2.) After the expiration of such a period from the creation of the stock as the Corporation shall by the resolution creating such stock declare, the stock
5 shall be redeemable at par at the option of the Corporation, and within such a period (not exceeding sixty years) from the first creation of the stock, as the Corporation shall by such resolution declare, the whole of the stock shall be redeemed and extinguished or purchased and extinguished.

(3.) All stock created and issued under this Article shall be charged in the
10 same manner as, and rank *pari passu* with, stock issued under the Local Act, and shall otherwise be subject to the provisions of the Local Act as altered by this Order, except so far as is otherwise provided by Articles IV. and V. of this Order.

Art. V.—(1.) A separate loans fund, to be called the Brighton Corporation
15 Loans Fund (No. 2) (herein-after referred to as “the loans fund (No. 2)”), shall be established and formed in respect of any stock which may be created and issued by the Corporation under Article IV. of this Order, and all the provisions of the Local Act as altered by this Order in regard to the loans fund shall, *mutatis mutandis*, apply to the loans fund (No. 2).: Provided
20 that the Corporation shall not be empowered to apply any part of the loans fund in purchasing or redeeming any stock created and issued under Article IV. of this Order, or any part of the loans fund (No. 2) in purchasing or redeeming any stock not created and issued under Article IV. of this Order.

(2.) So long as any moneys are required to be paid to the loans fund under
25 the provisions of sub-section (1) of Section 12 of the Local Act, no moneys shall be required to be paid to the loans fund (No. 2) under that sub-section:

Provided that if any money to which that sub-section applies shall arise from any sale, lease, or other disposition of land or other property which shall have been purchased or otherwise acquired by means of moneys raised by stock
30 created and issued under Article IV. of this Order, or by means of moneys which shall have been converted into stock so created, then the money so arising shall be paid into the loans fund (No. 2).

Art. VI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by
35 that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be
40 paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. VII. This Order may be cited as the Brighton Order, 1894.

Given under the Seal of Office of the Local Government Board,
this Twenty-first day of May, One thousand eight hundred and
ninety-four.

45 (L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

BOROUGH OF ST. HELENS.

St. Helens
Order.

Provisional Order for altering certain Local Acts.

To the Mayor, Aldermen, and Burgesses of the Borough of St. Helens ;—

And to all others whom it may concern. 5

WHEREAS the Borough of St. Helens (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority ; and the unrepealed provisions of the Saint Helens Improvement Act, 1869, the Saint Helens (Corporation) Water Act, 10 1882, as altered by the Provisional Order herein-after recited, and the St. Helens Corporation Act, 1893 (each of which Acts is herein-after referred to as the Act of the year in which it was passed), are in force in the Borough ;

And whereas by Section 5 of the Act of 1882 the Corporation were authorised to make and maintain the works in connexion with their water undertaking 15 described in that section ;

And whereas by Section 6 of the Act of 1882 the Corporation were empowered to enter on, take, and use the lands therein described for the purposes of that Act, and to take, collect, and use all springs and waters in, under, or on any of the lands so acquired by them, other than streams flowing on any such 20 lands ;

And whereas by Section 8 of the Act of 1882 it was enacted that, if the works by that Act authorised were not completed within five years from the passing of the Act of 1882, then, on the expiration of that period, the powers by that Act granted for the making thereof respectively, or otherwise in relation thereto, 25 should cease to be exercised, except as to such of them or so much thereof respectively as was then completed ;

And whereas by Section 10 of the Act of 1882 the Corporation were empowered to purchase by agreement, for any of the purposes of their water undertaking, any lands not exceeding ten acres in addition to the lands which 30 they were authorised to take by compulsion ; but it was provided that the Corporation should not erect any buildings upon such lands except offices and dwellings for persons in their employ, and such buildings and works as might be incident to or connected with their waterworks ;

And whereas by Section 13 of the Act of 1882 provision was made with 35 respect to the application of the proceeds of the sale of surplus lands of the Corporation under the powers of that Act ;

And whereas by Section 14 of the Act of 1882 it was enacted that the works by that Act authorised should form part of the then existing water undertaking of the Corporation, and that Sections 33 to 67 (both inclusive) of the Act of 40 1869 should apply to the works authorised by the Act of 1882 and to the supply of water therefrom ;

And whereas by the second paragraph of Section 20 of the Act of 1882 the Corporation were empowered to borrow on the security therein mentioned, and

32 & 33 Vict.
c. cxi.
45 & 46 Vict.
c. cxlix.
56 & 57 Vict.
c. ccxv.

with the approval of the Local Government Board, such sum or sums as they might require for the purpose of their water undertaking, in addition to the sum of ninety-five thousand pounds by the first paragraph of that section authorised to be borrowed ;

A.D. 1894.

*St. Helens
Order.*

- 5 And whereas by a Provisional Order of the Local Government Board dated the Eighteenth day of February, One thousand eight hundred and eighty-seven, and duly confirmed by the Local Government Board's Provisional Orders Confirmation Act, 1887, the Act of 1882 was altered so as to provide that the powers (except the power to purchase lands compulsorily) thereby granted to
10 the Corporation for making certain of the works described in Section 5 of the Act of 1882 might be exercised until the expiration of eight years from the passing of that Act ;

50 Vict.,
Sess. 2., c. xlix.

And whereas by Section 102 of the Act of 1893 the Corporation were empowered, independently of any other borrowing power, to borrow (inter alia)—

- 15 (a.) For the purchase or redemption of the rents payable to the St. Helens Waterworks Company, and for the purchase of shares in that company, such sums as might be required for those purposes ;
(b.) For other waterworks purposes any sum not exceeding the sum of one hundred and fifty thousand pounds ;

- 20 and, with the approval of the Local Government Board, such further moneys as might be requisite for any of the purposes in the said section mentioned, or other the purposes of that Act ; but it was provided that the Corporation should not borrow any money under that Act for the purpose (b) in that section mentioned, except with the sanction of the Local Government Board ;

- 25 And whereas it is expedient that the Corporation should be empowered to construct the pumping station, aqueducts or lines of pipes, and other works in connexion with their water undertaking herein-after mentioned, and to purchase, by agreement, lands and borrow money for those purposes ;

- And whereas the pumping station herein-after mentioned will be situate in
30 the Township of Melling, in the Rural Sanitary District of the Ormskirk Union (herein-after referred to as "the Rural District"), and it is expedient that the provisions herein-after contained should be made with respect to the supply of water in bulk to the Sanitary Authority for the Rural District (herein-after referred to as "the Rural Authority") ;

- 35 And whereas the said aqueducts or lines of pipes pass through the Townships of Melling, Kirkby, Knowsley, and Eccleston, and will be constructed partly or wholly under highways under the control or management of the Ormskirk Highway Board, the Sefton Highway Board, the Prescot Highway Board, the Surveyor of Highways for the Township of Eccleston, and the County Council of
40 the County of Lancaster, or some of them (all which authorities are herein-after referred to as "the Highway Authorities"), and it is expedient that the provisions herein-after contained should be made for the protection of the Highway Authorities :

- Now therefore, We, the Local Government Board, in pursuance of the powers
45 given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act

38 & 39 Vict.
c. 55.

A.D. 1894. of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Act of 1882 and the Act of 1893 shall be altered so as to provide as follows:—

*St. Helens
Order.*

Art. I. The Corporation may purchase by agreement, but not otherwise, and use for the purposes of their water undertaking, the land described in the Schedule hereto. 5

Art. II. Subject to the provisions of the Act of 1882 as altered by this Order, the Corporation may construct, make, and maintain, in the lines and situations and upon the lands delineated on the plans sealed by the Local Government Board, duplicates whereof are deposited at the Town Hall, St. Helens, the following works which are herein-after referred to as "the authorised works"; 10
(that is to say,)—

(1.) A pumping station, to be called the Melling pumping station, together with a shaft or well with pumps, engines, and appliances connected therewith, to be situate upon the land described in the Schedule hereto, if and when acquired by the Corporation; 15

(2.) An aqueduct or line of pipes (herein-after called "Aqueduct No. 1") commencing at the Melling pumping station, and thence passing along certain public highways or footways in the Townships of Melling, Kirkby, Knowsley, and Eccleston, and in the Borough to the reservoir of the Corporation situate at Brown Edge; 20

(3.) An aqueduct or line of pipes (herein-after called "Aqueduct No. 2"), and commencing at the Kirkby pumping station of the Corporation, in the Township of Kirkby, thence along the occupation road leading to that pumping station, and terminating in a junction with Aqueduct No. 1 at a point opposite Rigby's Cottages where that road meets School Lane, 25

together with all wells, shafts, tunnels, drifts, adits, pipes, valves, syphons, hydrants, junctions, tanks, basins, engines, pumps, buildings, embankments, roads, and other works and conveniences connected with the said works, or any of them, which may be necessary or proper for taking, pumping, impounding, using, and distributing water. 30

Art. III. If the authorised works are not completed within five years from the commencement of this Order, then, on the expiration of that period, or of such further period as the Local Government Board may by Order allow, the powers by this Order granted for the making thereof respectively, or otherwise in relation thereto, shall cease to be exercised, except as to such of them or so much thereof respectively as is then completed. 35

Art. IV. Section 13 of the Act of 1882 shall be repealed, and in lieu thereof the following provisions shall have effect; viz.,—

The proceeds of the sale, exchange, or other disposition of land acquired by the Corporation under the powers of the Act of 1882 or this Order, or by way of fine or premium on any lease of any such lands, shall be distinguished as capital in the accounts of the Corporation, and shall be applied in discharge of any moneys for the time being owing under the Act of 1882, or if there be no moneys owing under that Act in discharge of any other moneys for the time being owing by the Corporation, but any such 40 45

proceeds shall not be applied to the payment of instalments, or to payments into any sinking fund, except to such extent and on such terms as may be approved by the Local Government Board: Provided that any borrowed moneys discharged by the application of such moneys shall not be re-borrowed.

A.D. 1894.

St. Helens
Order.

Art. V. The provisions of the Act of 1882, except Sections 8, 17, and 18, and the Acts incorporated therewith, as amended by this Order, shall, save as otherwise directed by this Order, apply, mutatis mutandis, to the authorised works and to the purchase of the land described in the Schedule hereto, and the construction of the authorised works shall be deemed to be waterworks purposes for which the Corporation may borrow money under Section 102 of the Act of 1893: Provided that any sinking fund set apart for the repayment of moneys borrowed for the construction of the said works shall be invested in accordance with the provisions of Article V. of the Provisional Order of the Local Government Board dated the First day of May, One thousand eight hundred and ninety-one, relating to the Borough, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1891.

Art. VI. The second paragraph of Section 20 of the Act of 1882 shall be and the same is hereby repealed, except so far as the same may have been acted upon.

Art. VII.—(1.) Aqueduct No. 1 and Aqueduct No. 2 shall be laid at a regular depth of three feet from the surface of the ground, except where the same shall cross any spring, stream, surface drain, aqueduct, or pipe, in which case they shall be carried under or over such spring, stream, surface drain, aqueduct, or pipe.

(2.) Section 16 of the Act of 1882 shall apply with the necessary modifications to the carrying out of the authorised works so far as the same affect any highway under the management of any of the Highway Authorities.

(3.) If and whenever any aqueduct authorised by this Order shall be laid in or pass under any highway, in or under which a pipe or aqueduct belonging to the Corporation has already been laid, the aqueduct authorised by this Order shall be laid alongside of or close to the existing pipe or aqueduct.

(4.) The Corporation shall make good any damage caused to any highway by reason of any bursting, breakage, leakage, or other accident happening to, or any insufficiency or failure in any of the authorised works, or by reason of any act or omission of the Corporation in connexion therewith, and if the Corporation after reasonable notice from the Highway Authority affected shall neglect or fail to make good any such damage, such Highway Authority may from time to time execute the necessary work, and the expense of executing the same shall be paid by the Corporation to the said Highway Authority.

Art. VIII.—(1.) From and after the erection and completion of the Melling pumping station, and so long as the same shall be used by the Corporation as a pumping station, the Rural Authority shall be entitled to demand from the Corporation, and the Corporation shall supply, water in bulk for use within the Rural District.

(2.) The quantity of water so to be taken and supplied in the event of any such demand as aforesaid shall be the amount from time to time required by the Rural Authority, but shall not, without the consent of the Corporation, exceed

A.D. 1894,
St. Helens
Order.

in any one day five per cent. of one-seventh of the total quantity pumped and raised at the Melling pumping station during the last preceding seven days.

(3.) The water may be delivered to the Rural Authority from any of the pumping stations of the Corporation, but the Rural Authority shall only be entitled to demand a supply of water under this Article from and at the Melling 5 pumping station.

(4.) The water to be supplied to the Rural Authority by the Corporation shall be measured by a meter, to be provided and maintained by the Corporation, and the Rural Authority shall pay to the Corporation a reasonable rent in respect thereof, and shall at all reasonable times by themselves and their servants 10 have access thereto for the inspection thereof. The provisions of Sections 59 and 60 of the Public Health Act, 1875, shall apply as if the meter had been provided under Section 58 of that Act. The Rural Authority shall, at their own expense, construct all such works and do all such things as may be necessary for distributing the water supplied by the Corporation within the Rural District. 15

(5.) The Rural Authority shall, within one month after the expiration of each quarter, pay to the Corporation the sum of sixpence for each one thousand gallons of water supplied during, and also the meter rent for, such quarter :

Provided that if at any time hereafter the quantity of water to be obtained from the Melling pumping station and from the other pumping stations belonging 20 to and used by the Corporation at the date of this Order shall be insufficient for the adequate supply of water by the Corporation under their powers in that behalf, and for such purpose the Corporation shall deem it expedient to obtain water from some other Authority or source of supply, the sum so payable by the Rural Authority to the Corporation may be increased to 25 such an amount as may be agreed upon by and between the Corporation and the Rural Authority; or, in default of agreement, as may be determined by Order of the Local Government Board to be reasonable, and the sum so agreed or determined, as the case may be, shall thereafter be paid by the Rural Authority accordingly. 30

(6.) The Corporation shall, for the purposes of the supply of water to the Rural Authority as aforesaid, provide for the erection of, and shall maintain in conjunction with, such pumping station, and in such manner and position and at such height as shall be agreed upon between the Corporation and the Rural Authority, or, in case of dispute, as shall be settled by arbitration in the manner 35 herein-after provided, a covered reservoir tank capable of holding such quantity of water not exceeding forty thousand gallons, and the expense to be incurred from time to time by the Corporation in, about, and by reason of the erection and maintenance of such tank shall be borne and paid by the Rural Authority :

Provided that this subdivision shall only take effect if, within twenty-eight 40 days after the Corporation shall have given notice in writing to the Rural Authority of their intention to commence the erection of the Melling pumping station, the Rural Authority shall by notice in writing to the Corporation require the said tank to be provided.

(7.) If the tank lastly herein-before referred to shall be erected, it shall be 45 deemed to be a work authorised by Article II. of this Order, and the Corporation, while they are pumping and raising water from the Melling pumping

station, shall, so far as practicable, keep the said tank constantly filled with water. A.D. 1894.

*St. Helens
Order.*

(8.) In the event of the Corporation being prevented from complying with any of the provisions of this Article by reason of any accident, breakdown, strike, or other unavoidable cause the Rural Authority shall have no claim for any damage or loss which may result to them thereby or in consequence thereof.

(9.) Any sum or sums to become payable to the Corporation under the provisions of this Article shall be recoverable by them from the Rural Authority summarily as a civil debt under the Summary Jurisdiction Acts or in any court of competent jurisdiction.

Art. IX. In case any difference shall arise between the Corporation and the Rural Authority, or between the Corporation and the Highway Authorities, or any of them, respecting any matter arising out of this Order the same shall be determined by an arbitrator to be appointed by the Local Government Board at the request of either party; and the costs and expenses of and incidental to such appointment shall be paid by the Corporation and the Rural Authority, or the Highway Authority, as the case may be, in equal moieties, unless the Local Government Board otherwise direct.

Art. X. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XI. This Order may be cited as the St. Helens Water Order, 1894.

The SCHEDULE above referred to.

All that piece of land situate in the Township of Melling, in the County of Lancaster, being a field belonging or reputed to belong to Charles Boyer Webb, bounded on the south by Maghull Lane, on the north by land belonging or reputed to belong to Edmund Brownbill, on the west by land belonging or reputed to belong to the Reverend T. E. Cartwright, and on the east by other land belonging or reputed to belong to the said Charles Boyer Webb.

Given under the Seal of Office of the Local Government Board, this Twenty-first day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

A.D. 1894.

*Wisbech and
Walsoken
Order.*

WISBECH AND WALSOKE MAIN SEWERAGE DISTRICT.

Provisional Order for altering a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Wisbech, being the Urban Sanitary Authority for that Borough ; —

5

To the Walsoken Local Board of Health, being the Sanitary Authority for the Urban Sanitary District of Walsoken, in the County of Norfolk ; —

To the Local Board of Health for the Wisbech and Walsoken Main Sewerage District ; —

And to all others whom it may concern.

10

WHEREAS by Article 3 of a Provisional Order of the General Board of Health dated the Fourteenth day of May, One thousand eight hundred and fifty-two, and duly confirmed by the Public Health Supplemental Act, 1852 (No. 2) (which Order and Act are herein-after respectively referred to as “the Sewerage District Order of 1852” and “the Confirming Act of 1852”), the Borough of Wisbech, 15 in the County of Cambridge, and the Parish of Walsoken, in the County of Norfolk, were constituted a District (herein-after referred to as “the Main Sewerage District”) for the purposes of main sewerage only according to the provisions of the Public Health Act, 1848 ;

And whereas by Article 4 of the Sewerage District Order of 1852 provision 20 was made for the constitution of a Local Board of Health for the Main Sewerage District ;

And whereas by another Provisional Order of the General Board of Health also dated the Fourteenth day of May, One thousand eight hundred and fifty-two, and duly confirmed by the Confirming Act of 1852, the said Parish 25 of Walsoken was constituted a District for all the purposes of the Public Health Act, 1848, which District is herein-after referred to as “the Walsoken District” ;

And whereas by another Provisional Order of the General Board of Health dated the Second day of February, One thousand eight hundred and fifty-seven, and duly confirmed by the Public Health Supplemental Act, 1857 (which 30 Order and Act are herein-after respectively referred to as “the Order of 1857” and “the Confirming Act of 1857”), Article 4 of the Sewerage District Order of 1852 was repealed, and it was ordered that the Local Board of Health for the Main Sewerage District should consist of the Mayor for the time being of the said Borough, and twenty-nine other persons, of whom twenty-three should be 35 selected by the Council of the Borough out of their own number, or out of persons qualified to be councillors of the said Borough, and six should be elected by the owners of, and ratepayers in respect of, property situated within the Walsoken District ;

And whereas the persons so elected to represent the Walsoken District on 40 the governing body of the Sewerage District at present constitute the Urban Sanitary Authority for the Walsoken District ;

And whereas in pursuance of the Local Government Act, 1894, the Walsoken District will be an Urban District, and an Urban District Council will be 45 elected for that District in accordance with the provisions of that Act, and it is

15 & 16 Vict.
c. lxix.

20 Vict. c. iii.

56 & 57 Vict.
c. 73.

expedient that the members of such District Council should represent the Walsoken District on the governing body of the Sewerage District :

A.D. 1894.

*Wisbech and
Walsoken
Order.*

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other
5 Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Confirming Act of 1857, so far as it relates to the Order of 1857, shall be altered so as to provide as follows :—

Art. I. On and after the day on which the first meeting of the Urban District Council of the Walsoken District elected in pursuance of the Local Government
10 Act, 1894, shall be held—

- (1.) The members of that District Council elected by the parochial electors shall be the representatives of the Walsoken District on the governing body of the Sewerage District;
- 15 (2.) The persons elected as members of such governing body by the owners of, and ratepayers in respect of, property in the Walsoken District shall cease to be members of the governing body, and no further elections of such persons shall be held.

Art. II. This Order may be cited as the Wisbech and Walsoken Order, 1894.

Given under the Seal of Office of the Local Government Board, this
20 Twenty-first day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 15).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board
relating to the Urban Sanitary
Districts of Bolton, Brighton, and St.
Helens, and to the Wisbech and
Walsoken Main Sewerage District.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
22 May 1894.

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[Bill 237.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Urban Sanitary Districts of
Middleton and Preston.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament, and that the provision herein contained
should be enacted with reference to one of such Orders :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
10 and by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall have
full validity and force.

The Orders
in schedule
confirmed.

2. The sanitary authority for the urban sanitary district of
15 Preston shall not, under the authority of this Act, or of the
Preston Order, 1894, purchase or acquire, in any city, borough, or
other urban sanitary district, or in any parish or part of a parish
not being within an urban sanitary district, ten or more houses,
which, after the passing of this Act have been, or on the fifteenth
20 day of December last were, occupied either wholly or partially by
persons belonging to the labouring class as tenants or lodgers, or
except with the consent of the Local Government Board, ten or
more houses which were not so occupied on the said fifteenth day
of December, but have been or shall be subsequently so occupied.

Restriction
of power
to take
houses of
labouring
class as
regards
Preston.

25 For the purposes of this section the expression "labouring class"
includes mechanics, artisans, labourers, and others working for

[Bill 245.]

A

A.D. 1894. — wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons 5 who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 16) Act, 1894.

SCHEDULE.

A.D. 1894.

BOROUGH OF MIDDLETON.

Middletton
Order.*Provisional Order for altering a Local Act and certain
Confirming Acts.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Middleton,
being the Urban Sanitary Authority for that Borough ; —
And to all others whom it may concern.

WHEREAS the Borough of Middleton (herein-after referred to as "the
Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and
10 Burgesses, acting by the Council (herein-after referred to as "the Corporation"),
are the Urban Sanitary Authority ;

And whereas under the provisions of the Middleton and Tonge Improvement 24 & 25 Vict.
Act, 1861 (herein-after referred to as "the Local Act"), certain commissioners c. c.

- 15 Tonge Improvement Commissioners (herein-after referred to as "the Com-
missioners") to execute the Local Act ;

And whereas the Local Act has been altered by certain Provisional Orders of
the Local Government Board dated respectively the Seventh day of May, One
thousand eight hundred and seventy-eight, confirmed by the Local Government

- 20 Board's Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878 (which 41 & 42 Vict.
Order is herein-after referred to as "the Order of 1878"), the Sixth day c. clxii.

of May, One thousand eight hundred and seventy-nine, confirmed by the
Local Government Board's Provisional Orders Confirmation (Castleton-by-
Rochdale, &c. Act, 1879 (which Order is herein-after referred to as "the

- 25 Order of 1879"), the Tenth day of May, One thousand eight hundred and 43 & 44 Vict.
eighty, confirmed by the Local Government Board's Provisional Orders Con- c. xxxvi.

firmation (Abingdon, &c.) Act, 1880, the Twelfth day of May, One thousand
eight hundred and eighty-one, confirmed by the Local Government Board's
Provisional Orders Confirmation (Cottingham, &c.) Act, 1881, the Fourth day

- 30 of June, One thousand eight hundred and eighty-nine, confirmed by the Local 44 & 45 Vict.
Government Board's Provisional Orders Confirmation (No. 16) Act, 1889, and c. lxx.

by the Local Government Board's Provisional Orders Confirmation (No. 12) Act, 52 & 53 Vict.
1890 (which Order and Act are herein-after respectively referred to as "the c. cxvii.

- 35 Order of 1890" and "the Confirming Act of 1890"), which Orders and 53 & 54 Vict.
Confirming Acts are herein-after collectively referred to as "the Orders" and c. clxxx.

And whereas by a further Provisional Order of the Local Government Board
dated the Twenty-fifth day of May, One thousand eight hundred and ninety-one,

A.D. 1894.
—
Middleton
Order.
54 & 55 Vict.
c. ccxxiii.

confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act, 1891 (herein-after referred to as "the Order of 1891"), the Borough of Middleton was extended, and it was provided that the unrepealed provisions of the Local Act and of the Orders and of the Confirming Acts, so far as they relate to the Orders, should extend and apply to the Borough, and that any reference therein to the District of the Commissioners and the Commissioners or to the then existing Borough and the Corporation thereof, should be deemed to refer to the Borough and the Corporation thereof ; 5

And whereas by Section 1 of the Local Act it was, inter alia, provided that the Commissioners Clauses Act, 1847, and the Towns Improvement Clauses Act, 1847, except certain sections of the latter Act, should be incorporated with and form part of the Local Act ; 10

And whereas by Section 22 of the Local Act it was provided that the Commissioners should and might, subject to the provisions of this Act and of the Acts incorporated therewith, cause to be paved, sewered, drained, cleansed, lighted, managed, and otherwise improved the said townships, and for those purposes might exercise all the powers vested in them by this Act and the several Acts incorporated herewith ; 15

And whereas by Section 34 of the Local Act it was provided that, for the purposes of defraying the costs and expenses of carrying the several powers and provisions of the Local Act and of the several Acts incorporated therewith into execution, except the purposes to which any lighting rates and any gas rates or gas rents, and any rates to be made for sewers, drains, and private improvements, and any rates to be made for making and repairing the highways within the Townships within the meaning of the Local Act, are by the Towns Improvement Clauses Act, 1847, incorporated therewith, or by the Local Act directed to be applied, and including the costs of and incident to the obtaining of the Local Act, it should be lawful for the Commissioners from time to time to make, assess, and levy such equal rates, to be called the improvement rate, as might be necessary for the purposes aforesaid ; 20 25 30

And whereas by Section 35 of the Local Act it was provided that every person occupying lands used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, or any lands covered with water or used only as a canal or towing-path for the same, or as a railway constructed under the powers of any Act of Parliament for public conveyance, and every waterworks company holding, using, or occupying lands used by them only for large mains for the conveyance of water through the Townships in the Local Act mentioned, for the use of other places, and not intended for distribution or supply within the said Townships, should be rated to the said improvement rates in respect of the same lands in the proportion of one-fourth part only of such annual value thereof as aforesaid ; 35 40

And whereas by Section 102 of the Local Act it was provided that the Commissioners might, and should from time to time, when and as often as occasion should require, make and levy, in addition to any other rate, a rate to be called the lighting rate, to be assessed only upon houses and buildings, with their appurtenances, situate within the extended limits of the Local Act as therein-before defined for the purposes connected with the making and supply of 45

A.D. 1894.

Middleton
Order.

gas, and either wholly or partly within two hundred and fifty yards of some public light for the time being maintained by or at the expense of the Commissioners, and in all other respects to be made, assessed, levied, and recovered upon and from the same persons, with the same powers and provisions, and in manner as provided in the Towns Improvement Clauses Act, 1847, with respect to rates authorised by that Act :

Provided that the total amount of the lighting rates to be made in any one year should not exceed sixpence in the pound on the full net annual value of the property to be assessed thereto ;

10 And whereas by the Order of 1878 it was provided that any limits imposed by the Local Act and the Acts incorporated therewith in respect to the amounts of any rates should not apply to rates leviable by the Commissioners within their District ; and by the Order of 1879 the limits within which the Local Act might and should be put in force for purposes connected with the making and supply of
15 gas were extended ;

And whereas by Section 158 of the Towns Improvement Clauses Act, 1847, incorporated with the Local Act, the Commissioners were authorised to make a sewer rate distinct from any other rate which they might be authorised to make under the Local Act ;

20 And whereas by Sections 18 and 19 of the Local Act the Commissioners were empowered to borrow on the security of the sewers rates the sums therein mentioned ;

And whereas by the Order of 1890 the Local Act was altered so as to provide that, from and after the Twenty-fifth day of March, One thousand eight
25 hundred and ninety-one, the Corporation should, in lieu of the rate levied by them under the Local Act or the Acts incorporated therewith, make, assess, and levy a rate, to be called and therein and herein-after referred to as the consolidated rate, for the purposes of the Local Act, and any other purposes properly chargeable to the rates then leviable under the Local Act or the Acts incorporated
30 therewith ; and any person rated to the consolidated rate who would, but for the Order of 1890, have been entitled under the Local Act to an allowance or deduction in respect of the said rates, or any of them, should be entitled to a similar allowance or deduction in respect of the consolidated rate ;

And whereas by Article XIII. of the Order of 1891 it was provided that the
35 owners or occupiers (as the case might be) of all rateable hereditaments in the areas added to the Borough of Middleton by that Order should be assessed to the consolidated rate for the period therein mentioned at a rate in the pound less by sixpence per annum than the rate in the pound at which owners or occupiers are assessed to the consolidated rate in the remainder of the Borough :

40 Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875 and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Local Act and the Confirming Acts shall be
45 altered so as to provide as follows :—

Art. I. As regards any consolidated rate which may be made and levied by the Corporation after the commencement of this Order, any person rated to the said rate who, under the Local Act as altered as aforesaid, is entitled to an

A.D. 1894. allowance or deduction in respect of the part of the said rate levied for purposes for which the improvement rate was formerly levied under the Local Act, shall be entitled to a similar allowance or deduction in respect of the part of the said consolidated rate levied for purposes of this Order or purposes for which the sewers and lighting rates were formerly levied under the Local Act, but not to 5 any greater or other deduction or exemption; and the parts of the said consolidated rate levied for the purposes of this Order and for all purposes for which the improvement, sewers, and lighting rates were formerly levied shall be made, assessed, and levied on the like property and in the like manner in all respects: Provided that nothing in this Order shall apply or extend to the 10 portion of the consolidated rate levied without the Borough, or shall affect the provisions of Article XIII. of the Order of 1891.

—
*Middleton
Order.*

Art. II. The provisions of the Public Health Act, 1875, relating to sewerage and sewage disposal, shall be deemed to be incorporated with the Local Act, and any provisions of the Local Act, or of the Acts incorporated therewith relating to 15 sewers and sewers rates, are hereby repealed.

Art. III. Sections 18 and 19 of the Local Act, so far as they empowered the Commissioners to borrow certain moneys on the security of the sewers rate, shall be repealed, so far as they have not been acted upon, and the Corporation may, with the sanction of the Local Government Board, and subject to the 20 provisions of this Order, borrow on the security of the consolidated rate for the purpose of works of sewerage and sewage disposal, and the purchase of lands by agreement, for such purposes, any sum or sums not exceeding in the whole the sum of sixty-one thousand seven hundred and ten pounds.

Art. IV. For the purpose of raising money by virtue of this Order the 25 provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238 (both inclusive) of the Public Health Act, 1875, shall apply to all moneys borrowed and re-borrowed on mortgage by virtue of this Order.

Art. V. The moneys borrowed or to be borrowed by virtue of this Order 30 shall be repaid within such period, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall in each case determine, each of which periods is herein-after referred to as "the prescribed period," and shall be, with reference to the moneys to be repaid therein, the prescribed period for the purposes of the Local Loans Act, 35 1875.

Art. VI.—(1.) The Corporation shall repay the moneys borrowed or to be borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or 40 by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VII. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed or to be borrowed by virtue of this Order, such sinking fund shall be formed and 45 maintained either—

(a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of

which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

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Order.*

5 (b.) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

10 (3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to
15 bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

20 (4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed : Provided that, in the case of an accumulating sinking fund, the Corporation shall pay into the fund each year, and accumulate during
25 the residue of the prescribed period, a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

30 (6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation.

35 (b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

40 (7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order.

45 Art. VII.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is

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Order.*

formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

5

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

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(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

20

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine.

25

Art. VIII. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow:

30

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

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Art. IX.—(1.) The town clerk of the Borough shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government

45

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Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such town clerk showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts
5 which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated
10 by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the
15 recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment
20 required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than those authorised, the
25 Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

30 Art. X. All moneys hereafter from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government
35 Board, determine.

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of
40 any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XII.—(1.) The mortgagees of the Corporation by virtue of this Order
45 may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to

A.D. 1894. authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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Order.*

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him. 5

Art. XIII. This Order may be cited as the Middleton Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-third day of May, One thousand eight hundred and
ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

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*Preston
Order.*

BOROUGH OF PRESTON.

Provisional Order for altering certain Local Acts and a Confirming Act.

15

To the Mayor, Aldermen, and Burgesses of the Borough of Preston, being
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Borough of Preston (herein-after referred to as “the Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as “the Corporation”), are the Urban Sanitary Authority, and the unrepealed provisions of the Preston Waterworks Act, 1853, the Preston Corporation Markets Act, 1861, and the Preston Improvement Act, 1869 (which Acts are herein-after together referred to as “the Local Acts,” and each of which Acts is herein-after referred to as the Act of the year in which it was passed), are in force in the Borough ; 20

And whereas by the Acts of 1853 and 1869 the Corporation were empowered to make and maintain certain works for the supply of water to the Borough ;

And whereas by Section 28 of the Act of 1861 the Corporation were authorised to establish and provide within the Borough such slaughter-houses as should from time to time be sufficient for the slaughtering of cattle for the supply of the Borough and the neighbourhood thereof ; 30

And whereas by Article I. of a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Twenty-fourth day of April, One thousand eight hundred and sixty-one, and duly confirmed by the Local Government Supplemental Act, 1861 (which Order and Act are herein-after respectively referred to as “the Order” and “the Confirming Act”), the Corporation were authorised to borrow money for the completion of the works for supplying water to the Borough ; 35

And whereas by Section 17 of the Act of 1869 provision was made for the repayment of money borrowed under the powers of the Act of 1853 and the Confirming Act : 40

16 Vict.
c. xlviii.
24 Vict. c. vii.
32 & 33 Vict.
c. lxxxvii.

24 & 25 Vict.
c. xxxix.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall

A.D. 1894,
—
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Order.

5 take effect; viz.,—

Art. I. The Act of 1853 and the Act of 1869 shall be altered so as to provide as follows; viz.,—

- (1.) The Corporation may, for the purposes of their water undertaking, make and maintain such works as may from time to time be approved by the
10 Local Government Board, and may, with the approval of the said Board, purchase by agreement, but not otherwise, any lands which may be required for the purposes of or in connexion with their waterworks undertaking.
 - (2.) The Corporation shall in carrying out the provisions of subdivision (1) of
15 this Article have the powers of a Local Authority under Section 54 of the Public Health Act, 1875, in respect to the carrying of water mains within or without the Borough, and any notices already given by the Corporation in connexion with works to be so carried out shall, so far as they are in accordance with the provisions of Section 32 of the Public Health Act, 1875, be valid and sufficient.
- 20 Art. II. The Acts of 1853 and 1869 shall be altered so as to provide that the Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, from time to time borrow on the security of the revenue of their water undertaking and the district fund and general district rate such sum or sums, not exceeding in the whole the sum of one hundred and
25 fifty thousand pounds, as may be required for the purposes of that undertaking, in addition to the moneys borrowed for those purposes before the commencement of this Order.

Art. III. Sections 51 and 52 of the Act of 1853, so much of the Confirming Act as relates to Article I. of the Order, and so much of Section 2 as incorporates
30 the provisions of the Commissioners Clauses Act, 1847, with respect to mortgages, Sections 16 and 17, and Sections 25, 26, 29, and 30, so far as they may relate to the waterworks debt of the Corporation, of the Act of 1869 are hereby repealed, except so far as they have been acted on, and as it may be necessary to continue the same as regards existing mortgages.

35 Art. IV. The Act of 1861 shall be altered so as to provide that the Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, from time to time borrow on the security of the borough fund and borough rate such sum or sums as may be required, not exceeding in the whole the sum of four thousand five hundred pounds, for the purpose of
40 providing slaughter-houses within the Borough, in addition to the moneys borrowed for those purposes before the commencement of this Order.

Art. V. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall
45 apply to all moneys borrowed or re-borrowed on mortgage by virtue of this Order.

A.D. 1894.

*Preston
Order.*

Art. VI. The Corporation shall repay all moneys already borrowed for waterworks purposes under the Act of 1853 and the Confirming Act, and outstanding on the Thirty-first day of March, One thousand eight hundred and ninety-four (which said moneys are herein-after referred to as "the waterworks debt"), within fifty years from that date, and all moneys borrowed by virtue 5 of this Order shall be repaid within such period, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine, which respective periods are herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875. 10

Art. VII.—(1.) The Corporation shall repay the waterworks debt and the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by 15 another or the others of them.

(2.) Subject to the provisions of Article VIII. of this Order, if the Corporation determine to repay by means of a sinking fund the waterworks debt or any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either— 20

(a.) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

(b.) By payment to the fund throughout the prescribed period of such equal 25 annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund. 30

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed, be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, 35 stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the 40 investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed : Provided that in the case of an accumulating sinking 45 fund, the Corporation shall pay into the fund each year, and accumulate during the residue of the prescribed period, a sum equal to the interest which would

have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

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Preston
Order.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Corporation, in addition to the payments provided for by this Order.

Art. VIII.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Corporation may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation, with the consent of the Local Government Board, may determine.

A.D. 1894.

*Preston
Order.*

Art. IX. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys forming any portion of the said waterworks debt, or borrowed or re-borrowed by virtue of this Order, which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow: 5

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period: Provided also, that moneys so re-borrowed to repay moneys originally borrowed under the Act of 1853 or the Confirming Act shall be borrowed on the securities upon which the Corporation may borrow in pursuance of Article II. of this Order. 10 15

Art. X.—(1.) The town clerk shall, within twenty-one days after the Thirty-first day of March in each year, if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund in pursuance of the provisions of this Order, or in respect of any moneys raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of such town clerk, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court. 20 25 30 35 40

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid, appropriated, or set apart), or have applied 45

any portion of any sinking fund to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has made, shall be paid or applied as in such Order mentioned ; and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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Order.

Art. XI. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

Art. XII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XIII.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. XIV. This Order may be cited as the Preston Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-third day of May, One thousand eight hundred and
ninety-four.

35 (L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (No. 16).

A

B I L L

To confirm certain Provisional Orders
of the Local Government Board,
relating to the Urban Sanitary Dis-
tricts of Middleton and Preston.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by the House of Commons, to be Printed,
24 May 1894.

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[Bill 24b.]

A

B I L L

TO

Confirm a Provisional Order of the Local Government Board relating to the County of Dorset. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto under the provisions of the Local Government Act, 1888 :

51 & 52 Vict.
c. 41.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

10 **1.** The Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. The Order in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Order Confirmation (No. 17) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

*Dorset
Order.*

COUNTY OF DORSET.

*Provisional Order under Section 10 of the Local Government
Act, 1888.*

- To the Commissioners of Works ; — 5
 To the County Council of Dorset ; —
 To the Portland Ferry Bridge Commissioners ; —
 To the Portland Ferry Bridge Committee ; —
 To the Portland Local Board, being the Sanitary Authority for the
 Urban Sanitary District of Portland, in the County of Dorset ; — 10
 And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 10 of the Local Government Act, 1888 (herein-after
referred to as "the Act"), it is enacted as follows :—

- " After the passing of this Act it shall be lawful for the Local Government
 " Board to make from time to time a Provisional Order for transferring to 15
 " County Councils—
 " (a) any such powers, duties, and liabilities of Her Majesty's Privy
 " Council, a Secretary of State, the Board of Trade, the Local Govern-
 " ment Board, or the Education Department, or any other Government
 " department, as are conferred by or in pursuance of any statute and 20
 " appear to relate to matters arising within the county, and to be of an
 " administrative character : also
 " (b) any such powers, duties, and liabilities arising within the county,
 " of any commissioners of sewers, conservators, or other public body,
 " corporate or unincorporate (not being the corporation of a municipal 25
 " borough or an urban or rural authority, or a school board, and not
 " being a board of guardians), as are conferred by or in pursuance of
 " any statute ;
 " and such Order shall make such exceptions and modifications as appear
 " to be expedient, and also such provisions as appear necessary or proper 30
 " for carrying into effect such transfer, and for that purpose may transfer
 " any power vested in Her Majesty in Council :
 " (2.) Provided that before any such Order is made, the draft thereof shall
 " be approved, if it relates to the powers, duties, or liabilities of a Secretary
 " of State, or the Board of Trade, or any other Government department, by 35
 " such Secretary of State, Board, or department, and approved, if it affects
 " the powers, duties, or liabilities of any commissioners, conservators, or
 " body, corporate or unincorporate, by such commissioners, conservators, or

" body ; and every such Provisional Order shall be of no effect until it is confirmed by Parliament. A.D. 1894.

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* * * * *

5 " (4.) The Act of Parliament confirming any Provisional Order made under this section shall be a public general Act."

And whereas by Section 6 of the Act it is enacted that a County Council shall have power to purchase or take over, on terms to be agreed on, existing bridges not being county bridges, and to erect new bridges, and to maintain, repair, and improve any bridges so purchased, taken over, or erected ;

10 And whereas in pursuance of an Act (herein-after referred to as " the Act of 1835 ") passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled " An Act for making and maintaining a 5 & 6 Will. 4.
c. lxx.

15 " bridge over the river called the Portland Ferry, in the County of Dorset, with proper approaches thereto," a bridge (herein-after referred to as " the Portland Ferry Bridge ") was constructed over the said ferry by the Portland Ferry Bridge Commissioners (herein-after referred to as " the Bridge Commissioners "), and has been from time to time repaired and maintained by them ; and the Bridge Commissioners were empowered to take certain tolls for persons, animals, and carriages passing over the said bridge, or through the toll-gate or toll-bar thereof ;

20 And whereas by the Act of 1835 it was enacted that after the Portland Ferry Bridge should have been completed, the same should be a public bridge, and that all persons with or without horses, beasts, cattle, or carriages should have free liberty upon payment of the tolls by that Act granted to pass over the same without any interruption whatsoever ; but that such bridge should not be deemed or taken to be a county bridge, so as to subject the County of Dorset to repair the same or any of the approaches by the Act of 1835 authorised to be made to such bridge ;

25 And whereas the Bridge Commissioners are tenants from year to year upon the terms of an expired lease dated the Tenth day of March, One thousand eight hundred and fifty-one, and made between the Honourable Hugh Arbuthnot of the one part, and five of the then Bridge Commissioners of the other part, of the carriage and foot road communicating with the approach to the east side of the Portland Ferry Bridge, subject to the payment and the covenants by the lessees 30 in the said lease mentioned ;

35 And whereas the Bridge Commissioners are entitled, under an Indenture of License dated the Sixth day of September, One thousand eight hundred and sixty-seven, and made between the Queen's most Excellent Majesty of the first part, the Honourable Charles Alexander Gore of the second part, Her Majesty's Principal Secretary of State for the War Department of the third part, and five of the then Bridge Commissioners of the fourth part, to take and carry away from the part of the beach at Chesil, in the Island of Portland, therein defined such quantity of shingle and sand as might be required for the purpose, and subject to the payment and covenants by the Bridge Commissioners, in the said Indenture of License mentioned ;

40 And whereas by Section 3 of an Act (herein-after referred to as " the Act of 1850 ") passed in the thirteenth and fourteenth years of the reign of Her present 13 & 14 Vict.
c. 116.

A.D. 1894.

*Dorset
Order.*

Majesty Queen Victoria, intituled "An Act to amend an Act passed in the tenth
 " year of Her present Majesty's reign, for empowering the Commissioners of
 " Her Majesty's Woods to purchase land for a harbour of refuge and breakwater
 " in the Isle of Portland, and to make further provisions for the division and
 " application of the purchase money," it was (inter alia) directed that the sum 5
 of four thousand pounds (being part of the sum of twenty thousand pounds paid
 by the Commissioners of Woods for the purchase and extinction of the estates,
 rights, and interests of the tenants and inhabitants of the Manor of Portland in,
 upon, and over the common and commonable lands of the said manor mentioned
 in the Schedule to the Act amended by the Act of 1850), should be invested in 10
 the names of the Commissioners, for the time being, of Her Majesty's Woods,
 Forests, Land Revenues, Works, and Buildings, and accumulated in the way of
 compound interest until the last day of July, One thousand eight hundred and
 fifty-two, and that thenceforth the clear income of the accumulated fund, and
 also the whole or such part of the principal fund as those Commissioners 15
 should direct, should be paid over to the Portland Ferry Bridge Committee
 (herein-after referred to as the "Bridge Committee") constituted by the Act of
 1850 ;

And whereas by Section 4 of the Act of 1850 it was enacted that the Bridge
 Committee should pay, apply, and expend all moneys so paid to them as aforesaid 20
 (after deducting all costs and expenses), in and for or towards procuring and
 obtaining the reduction from time to time, as far as might be, or the ultimate
 extinction, if found practicable and thought desirable by the Bridge Committee,
 of the tolls payable for passing over the Portland Ferry Bridge, and, after such
 extinction, in acquiring the said bridge and the approaches thereto, and the 25
 said ferry and the messuage or toll-house, lands, and hereditaments belonging
 thereto, and the benefit and exercise of the powers and provisions of the Act of
 1835, upon such terms and conditions as might be agreed upon with the Bridge
 Commissioners, and according to such rules and regulations, and in such manner
 in all respects as the Bridge Committee should think most for the relief, benefit, 30
 and advantage of the inhabitants at large of the Island of Portland ; but it was
 provided that the reduction or extinction of the tolls charged and chargeable
 in respect of foot passengers passing over the said bridge should be the primary
 object of the application of the said sum of four thousand pounds and the
 dividends and income thereof ; 35

And whereas in consideration of various payments made from time to time by
 the Bridge Committee to the Bridge Commissioners, the tolls upon passengers
 or persons passing over the Portland Ferry Bridge have been abolished, and the
 other tolls payable under the Act of 1835 have been reduced ;

14 & 15 Vict.
c. 42.

And whereas by virtue of the Crown Lands Act, 1851, all the property, 40
 powers, duties, and liabilities vested in or attaching to the Commissioners of Her
 Majesty's Woods, Forests, Land Revenues, Works, and Buildings under the Act
 of 1850 are now vested in or attach to the Commissioners of Works ;

And whereas the Bridge Commissioners are possessed of the sum of two
 thousand three hundred and fifteen pounds one shilling and eightpence two 45
 and three-quarters per cent. consolidated stock, and of the further sum of three
 thousand seven hundred and one pounds two shillings and fivepence cash, both

of which sums, together with any moneys which may hereafter come into the hands of the Bridge Commissioners, are herein-after referred to as "The Bridge Commissioners' Fund";

A.D. 1894.

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And whereas the sum held by the Commissioners of Works under and
5 subject to the provisions of the Act of 1850 is now represented by the sum of two thousand one hundred and sixty-eight pounds and fifteen shillings two and three-quarters per cent. consolidated stock, and the Bridge Committee are possessed of the sum of three thousand six hundred and fifty pounds two and three-quarters per cent. consolidated stock, and of the further sum of two pounds
10 and fourpence cash, all which sums, together with any sums which may hereafter come into the hands of the Bridge Committee, are herein-after referred to as "The Bridge Committee's Fund";

And whereas the Portland Ferry Bridge having become dilapidated, plans, sections, and specifications were prepared by the late Sir John Coode, C.E., for
15 its re-construction;

And whereas it has been agreed between the Bridge Commissioners, the Bridge Committee, and the County Council of Dorset (herein-after referred to as "the County Council") that the County Council shall take over the Portland Ferry Bridge and shall rebuild it, and shall for ever maintain the same, and its
20 approaches, free of toll;

And whereas it has also been agreed that the balance of the Bridge Commissioners' Fund, after making thereout the payments herein-after mentioned or referred to, and all other property and liabilities of the Bridge Commissioners shall be transferred to the County Council, and that the Bridge Committee
25 shall, with the approval of the Commissioners of Works, contribute the sum of three thousand pounds out of the Bridge Committee's Fund towards the re-construction of the bridge, and that all other property and liabilities of the Bridge Committee shall be transferred to the Portland Local Board upon the terms herein-after provided;

And whereas, in order to carry out the purposes aforesaid, it is expedient that this Provisional Order be made under Section 10 of the Act; and the draft of this Provisional Order has, in accordance with that section, been approved by the Commissioners of Works, the Bridge Commissioners, and the Bridge
30 Committee:

Now therefore, We, the Local Government Board, in pursuance of the powers given to us by Section 10 of the Act, and by any other enactments in that behalf, do hereby Order that, from and after the date of the Act of Parliament
35 confirming this Order, the following provisions shall take effect:—

Art. I. This Order shall, except so far as otherwise herein expressly provided,
40 and so far as there may be anything in the subject-matter or context inconsistent therewith, come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as "the date of transfer").

Art. II. The Portland Ferry Bridge and its approaches shall, by virtue of this Order, be transferred to and vested in the County Council.

Art. III. The County Council shall, within three years from the date of
45 transfer, cause a new bridge in substitution for the Portland Ferry Bridge,

A.D. 1894. to be erected and completed in general accordance with plans, sections, and specifications prepared by the late Sir John Coode as aforesaid.

*Dorset
Order.*

Art. IV. From and after the date of transfer the Portland Ferry Bridge shall, notwithstanding anything in the Act of 1835 to the contrary, be deemed to be a county bridge, and shall be free from toll, and the new bridge shall be erected and for ever after maintained as a county bridge, free from toll. 5

Art. V.—(1.) The Bridge Commissioners shall, immediately after the date of transfer, by notice require all persons having any claim against them to send the particulars thereof to the clerks, for the time being, of the Bridge Commissioners at the place and within the period (not being less than two months) to be specified in such notice; and shall advertise such notice once in the "London Gazette," and once in each of two successive weeks in a newspaper published in London and in a newspaper published in the County of Dorset. 10

(2.) The Bridge Commissioners shall forthwith discharge their liabilities out of the Bridge Commissioners' Fund. 15

(3.) Upon the expiration of four calendar months from the date of transfer, all the property (including the balance of the Bridge Commissioners' Fund) and liabilities then vested in or attaching to the Bridge Commissioners shall be transferred to and vest in the County Council, and the Bridge Commissioners shall be abolished and cease to exist. 20

Art. VI.—(1.) Immediately after the date of transfer the sum of two thousand one hundred and sixty-eight pounds and fifteen shillings two and three-quarters per cent. consolidated stock, held by the Commissioners of Works, together with such part of the sum of three thousand six hundred and fifty pounds two and three-quarters per cent. consolidated stock of which the Bridge Committee are possessed as will at the market price make up the sum of three thousand pounds, shall be transferred to the County Council out of the Bridge Committee's Fund (the County Council paying all expenses connected with such transfer), and the County Council shall from time to time sell the same and apply the proceeds towards defraying such portion of their expenses of and incidental to the pulling down of the existing bridge and the erection of the new bridge and works as aforesaid, as the amount of the Bridge Commissioners' Fund so transferred to them as aforesaid may be insufficient to defray, and shall pay or transfer any balance of the said sum of three thousand pounds which shall not be required for the purpose aforesaid to the Portland Local Board. 25 30 35

(2.) From and after such transfer out of the Bridge Committee's Fund to the County Council all liability on the part of the Commissioners of Works and the Bridge Committee in relation to the Portland Ferry Bridge under the Act of 1850, or otherwise howsoever, shall absolutely cease and determine.

(3.) The Bridge Committee shall, immediately after the date of transfer, by notice require all persons having any claim against them to send the particulars thereof to the clerk, for the time being, of the Bridge Committee at the place and within the period (not being less than two months) to be specified in such notice; and shall advertise such notice once in the "London Gazette," and once in each of two successive weeks in a newspaper published in London and in a newspaper published in the County of Dorset. 40 45

A.D. 1894.

Dorset
Order.

(4.) The Bridge Committee shall forthwith discharge their liabilities, including their costs, charges, and expenses of and incidental to the preparation and confirmation of this Order, or otherwise in relation thereto, as taxed by the taxing officer of the House of Lords or of the House of Commons, out of the balance of the Bridge Committee's Fund.

(5.) Upon the expiration of six calendar months from the date of transfer, all the property (including the balance of the Bridge Committee's Fund) and liabilities then vested in or attaching to the Bridge Committee shall be transferred to and vest in the Portland Local Board, and the Bridge Committee shall be abolished and cease to exist.

(6.) The Portland Local Board shall, out of the moneys transferred to them under subdivision (5) of this Article, pay and discharge the outstanding liabilities (if any) of the Bridge Committee, and any balance of those moneys which shall remain after such payment and discharge, and the moneys or stock paid or transferred to them under subdivision (1) of this Article, shall be invested and applied as herein-after mentioned.

Art. VII. Every officer, either of the Bridge Commissioners or the Bridge Committee, who, by virtue of this Order, or of anything done in pursuance or in consequence thereof, suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the County Council for such pecuniary loss; and, in determining such compensation, regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act, to be had in regard in cases of compensation under that section, and the compensation shall not exceed the limit therein mentioned, and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required.

Art. VIII. All moneys received by the Portland Local Board in pursuance of subdivision (1) of Article VI. of this Order, together with the balance of any moneys transferred to them under subdivision (5) of Article VI. of this Order, which may remain after the discharge of the outstanding liabilities (if any) of the Bridge Committee, shall be applied to defray the cost of such permanent works in their District as the Local Government Board may sanction, and upon such terms as to recoupment or otherwise as to the Local Government Board may seem fit, and, pending such application, shall be invested in consols or in any securities in which trustees are for the time being authorised to invest, and the income derived from any such investment shall be carried to the credit of the district fund of their District in relief of the General District Rate: Provided always that in any condition as to recoupment which may be imposed under this Article by the Local Government Board the same shall be limited to the recoupment of principal only, and shall not extend so as to require the payment of any interest upon the moneys applied as aforesaid.

Art. IX.—(1.) The provisions of the Act of 1835 shall be wholly repealed, except so far as the same may have been acted upon, and except so far as it may be necessary to continue the same to enable the Bridge Commissioners to discharge their liabilities as above provided.

A.D. 1894.

*Dorset
Order.*

(2.) So much of Sections 3, 9, and 10 of the Act of 1850 as relate to the said sum of four thousand pounds, and the whole of Sections 4 to 8 (both inclusive) of that Act, shall be repealed, except so far as the same may have been acted upon, and, except so far as it may be necessary to continue the same to enable the Bridge Committee to discharge their liabilities as above provided.

5

Art. X. The costs, charges, and expenses of the County Council and the Bridge Commissioners of and incidental to the preparation and confirmation of this Order, or otherwise in regard thereto, as taxed by the taxing officer of the House of Lords or of the House of Commons, shall, except so far as such costs may be paid by the Bridge Commissioners, be paid by the County Council out of the several sums of money or consols to be paid or transferred to the County Council as aforesaid.

10

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine, for the services of any inspector or officer of the Board engaged in such inquiry), shall be paid by the County Council or other authority concerned in such inquiry, and in such proportions as the Local Government Board may direct, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the County Council or other authority shall be a debt due to the Crown from such council or authority.

20

Given under the Seal of Office of the Local Government Board, this
Twenty-fourth day of May, One thousand eight hundred and
ninety-four.

25

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Order (No. 17).

A

B I L L

To confirm a Provisional Order of the
Local Government Board relating to
the County of Dorset.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
25 May 1894.

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[*Price 1½d.*]

[Bill 248.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board relating to the Urban Sanitary District of
Kings Lynn (two), the Burnley Joint Hospital District,
and the West Kent Main Sewerage District.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Public Health Act, 1875:

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament, and that the provisions herein contained
should be enacted with reference to one of such Orders:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
10 by the authority of the same, as follows:—

1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall,
subject to the provisions of this Act, have full validity and force. Orders in
schedule
confirmed.

2. The sanitary authority for the urban sanitary district of
15 Kings Lynn, shall not purchase or acquire, either compulsorily or
by agreement, in any city, borough, or other urban sanitary district,
or in any parish or part of a parish not being within an urban
sanitary district, ten or more houses included in the schedule to the
Kings Lynn Order (No. 2) 1894, which, on the fifteenth day of
20 December last were occupied either wholly or partially by persons
belonging to the labouring class as tenants or lodgers, or except
with the consent of the Local Government Board ten or more
houses which were not so occupied on the said fifteenth day of
December, but have been or shall be subsequently so occupied. Restriction
of power to
take houses
of labouring
class as to
Kings Lynn.

[Bill 257.]

A

A.D. 1894. For the purposes of this section the expression “labouring class” includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than 5 domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board’s Provisional Orders Confirmation (No. 18) Act, 1894. 10

SCHEDULE.

A.D. 1894.

BURNLEY JOINT HOSPITAL DISTRICT.

*Burnley
Order.**Provisional Order for altering a Confirming Act.*

- To the Burnley Joint Hospital Board ;—
- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Burnley, being the Urban Sanitary Authority for that Borough ;—
- To the Mayor, Aldermen, and Burgesses of the Borough of Nelson, being the Urban Sanitary Authority for that Borough ;—
- 10 To the Brierfield Local Board, being the Sanitary Authority for the Urban Sanitary District of Brierfield, in the County of Lancaster ;—
- To the Padiham and Hapton Local Board, being the Sanitary Authority for the Urban Sanitary District of Padiham and Hapton, in the same County ;—
- 15 To the Guardians of the Poor of the Burnley Union, in the same County, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

WHEREAS by a Provisional Order of the Local Government Board dated the Twenty-eighth day of April, One thousand eight hundred and eighty-six, and
20 duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act, 1886 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Urban Sanitary Districts of Brierfield, Nelson, and Padiham and Hapton, and the Rural Sanitary District of the Burnley Union (all which Districts were therein-after referred to as "the
25 Constituent Districts"), were formed into a United District, called the Burnley Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases ;

And whereas by Article II. of the Order it was ordered that the Joint Board,
30 which should be the governing body of the said United District, should consist of four ex-officio and eleven elective members, and should be called the Burnley Joint Hospital Board (herein-after referred to as "the Joint Board") ;

And whereas by Article III. of the Order it was ordered that the ex-officio members should be the persons described in column 3 of the Schedules thereto,
35 and that the elective members should be elected by the several Sanitary Authorities mentioned in column 2 of the said Schedules (therein-after referred to as "the Constituent Authorities") ;

And whereas by Article IV. of the Order it was ordered that the number of members of the Joint Board to be elected by each of the Constituent Authorities

A.D. 1894.

*Burnley
Order.*

should be that set opposite to the name of each of such Authorities in column 4 of the said Schedules, and that the said members should be chosen by the members of each of the Constituent Authorities from among the members of its own body ;

And whereas since the formation of the said United District the Local Government District of Nelson has been created a Borough ;

And whereas it is expedient that the Urban Sanitary District of Burnley should be included in, and the Urban Sanitary District of Nelson should be excluded from, the said United District, and that the provisions herein-after contained should be made in connexion therewith :

10

38 & 39 Vict
c. 55,

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall take effect ; viz,—

15

Art. I. This Order shall, except so far as is otherwise herein expressly provided to the contrary, come into operation on the day of the meeting of the Joint Board held next after the first election of members thereof to represent the Urban Sanitary District of Burnley as herein-after provided.

20

Art. II. The United District shall be altered so as to include the Urban Sanitary District of Burnley and to exclude the Urban Sanitary District of Nelson, and throughout the Order and this Order reference to the Constituent Districts shall be deemed to include the Urban Sanitary District of Burnley and exclude the Urban Sanitary District of Nelson, and reference to the Constituent Authorities shall be deemed to include the Urban Sanitary Authority for the Borough of Burnley and to exclude the Urban Sanitary Authority for the Borough of Nelson.

25

Art. III. The number of ex-officio members of the Joint Board shall be reduced from four to one, and the number of elective members shall be increased from eleven to twelve, and the Schedules to this Order shall be substituted for the Schedules to the Order, and the reference in Articles III. and IV. of the Order to the Schedules thereto shall be deemed to apply to the Schedules to this Order.

30

Art. IV.—(1.) The Urban Sanitary Authority for the Borough of Burnley shall, within four weeks from the date of the Act of Parliament confirming this Order, elect six persons from among its own members to be their representatives on the Joint Board, and such six persons, and the ex-officio representative of that Authority, shall come into office as members of the Joint Board on the day of such election.

40

(2.) The town clerk of the Borough of Burnley shall forthwith after such election notify in writing to the clerk to the Joint Board the names, addresses, and occupations of the persons so elected.

(3.) The elective and ex-officio members of the Joint Board representing the Urban Sanitary District of Nelson shall go out of office, and their places shall not be filled up.

45

A.D. 1894.

*Burnley
Order.*

(4.) One of the two members of the Joint Board representing the Urban Sanitary District of Brierfield, one of the three members representing the Urban Sanitary District of Padiham and Hapton, and three of the six members representing the Rural Sanitary District of the Burnley Union shall go out
5 of office, and their places shall not be filled up, and the remaining members representing those Urban Sanitary Districts and the Rural Sanitary District upon the Joint Board, whether now ex-officio or elective members, shall be deemed to be elective members.

(5.) The members of the Joint Board who are to go out of office in pursuance of
10 subdivision (4) of this Article shall be selected by the several Constituent Authorities whose representatives they are at the meeting of such Authority held next after the date of the Act of Parliament confirming this Order, and the names of the persons so selected shall be forthwith notified in writing to the clerk to the Joint Board by the clerk to the Constituent Authority.

15 Art. V.—The following provision shall be substituted for Article V. of the Order, viz.,—

“Such of the provisions of Section 46 of the Local Government Act, 1894, as
“relate to members of councils of districts other than boroughs shall,
“mutatis mutandis, apply to members of the Joint Board.”

56 & 57 Vict.
c. 73.

20 Art. VI.—(1.) Article X. of the Order shall be altered by the addition thereto of the following paragraph :—

“The Joint Board may from time to time appoint committees consisting
“of members of the Joint Board for the exercise of any powers which, in
“the opinion of the Joint Board, can be properly exercised by committees,
25 “but the acts of every such committee shall, unless otherwise directed by
“the Joint Board, be submitted to the Joint Board for approval : Provided
“that a committee so appointed shall in no case be authorised to borrow
“money or to issue any precept for contributions or to enter into any
“contract, and it shall be subject to the provisions of Part IV. of the
30 “First Schedule to the Local Government Act, 1894, so far as they are
“applicable.”

(2.) Article XIV. of the Order shall be altered by the omission of all reference to Sections 200, 203, and 204 of the Public Health Act, 1875.

35 Art. VII. The following provision shall be substituted for Article XXI. of the Order, viz., “If at any time any new Urban District is formed including
“the whole or any part of any of the Constituent Districts, or the boundaries of
“any of the Constituent Districts are otherwise altered, or the whole of any of
“the Constituent Districts is created or included in a municipal borough, then
“and in every such case the Local Government Board may, by Order to be
40 “published as they shall direct, make such provision as to them seems fit for
“adapting the provisions of this Order to the alteration so made, and every
“such Order shall have effect as if the terms thereof were inserted in this
“Order.”

45 Art. VIII. This Order may be cited as the Burnley Joint Hospital Order,
1894.

A.D. 1894.

The SCHEDULES above referred to.

Burnley
Order.

SCHEDULE A.				
URBAN SANITARY DISTRICTS.				
1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Borough of Burnley	The Mayor, Aldermen, and Burgesses of the Borough of Burnley, acting by the Council.	1	The Mayor	6
				10
The Local Government District of Brierfield.	The Brierfield Local Board.	—	—	1
The Local Government District of Padiham and Hapton.	The Padiham and Hapton Local Board.	—	—	2
				15

SCHEDULE B.				
RURAL SANITARY DISTRICT.				
1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Rural Sanitary District of the Burnley Union.	The Guardians of the Poor of the Burnley Union, acting as the Rural Sanitary Authority.	—	—	3
				25

Given under the Seal of Office of the Local Government Board, this
Twenty-fifth day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

30

BOROUGH OF KINGS LYNN.

A.D. 1894.

*Provisional Order for partially repealing and altering certain
Local Acts.**Kings Lynn
Order.
(1.)*

5 To the Mayor, Aldermen, and Burgesses of the Borough of Kings Lynn
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Kings Lynn (herein-after referred to as "the
Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and
Burgesses, acting by the Council (herein-after referred to as "the Corporation"),
10 are the Urban Sanitary Authority, and the unrepealed provisions of the Kings
Lynn Waterworks and Borough Improvement Act, 1859, and the Kings Lynn
Corporation Act, 1880 (which Acts are herein-after together referred to as
"the Local Acts," and each of which Acts is herein-after separately referred
to as the Act of the year in which it was passed), as altered by a Provisional
15 Order of the Local Government Board dated the Fifth day of June, One
thousand eight hundred and seventy-seven, and duly confirmed by the Local
Government Board's Provisional Orders Confirmation (Caistor Union, &c.) Act,
1877, and by another Provisional Order of the Local Government Board dated
the Fourteenth day of May, One thousand eight hundred and eighty-nine,
20 and duly confirmed by the Local Government Board's Provisional Orders
Confirmation (No. 8) Act, 1889, are in force in the Borough ;

22 Vict.
c. xxxii.
43 & 44 Vict.
c. cxlii.

40 & 41 Vict.
c. cxxvii.

52 & 53 Vict.
c. lxi.

And whereas under and by virtue of the Local Acts the Corporation have
constructed works for the supply of water to the Borough and adjoining districts,
and are carrying on the water undertaking by those Acts authorised, and it is
25 expedient that the said water undertaking should henceforth be carried on under
and in accordance with the provisions of the Public Health Act, 1875 :

Now therefore, We, the Local Government Board, in pursuance of the
powers given to Us by Section 303 of the Public Health Act, 1875, and by
any other Statutes in that behalf, do hereby Order that, from and after the
30 date of the Act of Parliament confirming this Order, the following provisions
shall have effect ; viz.,—

Art. I.—(1.) The following provisions of the Local Acts, viz.,—

Of the Act of 1859,—

35 Sections 26, 28, 30, 31, 36, 38, 40 to 45, 47, 51, 53 to 64, 89, 95, and 96 (all
inclusive), the First and Second Schedules, and so much of Sections 17,
23, 24, and 88 as relates to waterworks ;

Of the Act of 1880,—

Sections 26 to 28 (both inclusive), sub-section (3) of Section 31, and
Section 32,

40 shall be repealed, except so far as the same may have been acted upon, and as
it may be necessary to continue the same as regards existing mortgages.

(2.) The provisions of the Waterworks Clauses Act, 1847, with respect to the
supply of water to be furnished by the Undertakers shall be incorporated with

A.D. 1894. the Local Acts, except so far as any of such provisions are inconsistent with the provisions of the Public Health Act, 1875.

Kings Lynn
Order.
(1.)

Art. II. The Local Acts shall be altered so as to provide that the said water undertaking shall be carried on by the Corporation under and subject to the provisions of the Public Health Act, 1875, as if such undertaking had been established by the Corporation under the powers of that Act. 5

Art. III. This Order may be cited as the Kings Lynn Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-fifth day of May, One thousand eight hundred and
ninety-four. 10

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Kings Lynn
Order.
(2.)

BOROUGH OF KINGS LYNN.

*Provisional Order to enable the Urban Sanitary Authority for the
Borough of Kings Lynn to put in force the Compulsory Clauses
of the Lands Clauses Acts.* 15

To the Mayor, Aldermen, and Burgesses of the Borough of Kings Lynn,
being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Kings
Lynn, as the Urban Sanitary Authority for that Borough (herein-after referred
to as "the Corporation"), require to purchase and take the lands described in
the Schedule hereto for the following purposes; viz.,— 20

1. The lands mentioned in Part I. of the said Schedule for the purpose of
constructing a service reservoir; 25
2. The lands mentioned in Part II. of the said Schedule for the purpose of
constructing a well and pumping station:

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 176 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order, the following provisions shall have
effect; viz.,— 30

Art. I. The Corporation shall be empowered to put in force, with reference to
the lands described in the Schedule hereto, and for the purposes aforesaid, the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement, or any of them. 35

Art. II. This Order may be cited as the Kings Lynn Order (No. 2), 1894.

The SCHEDULE above referred to.

A.D. 1894.

Kings Lynn
Order.
(2.)

County of NORFOLK.

5	Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.
PART I.				
Parish of BAWSEY.				
10	(Sheet No. 5.) 7	Parcel of arable land containing 2A. 1R. 0p., being part of field numbered 110 on the Ordnance Map.	Anthony Hamond	William Rolfe.
PART II.				
Parish of GAYTON.				
15	(Sheet No. 9.) 4	A parcel of arable land numbered 300 on the Ordnance Map, containing about seven acres.	Earl of Romney and Viscount Marsham.	Robert Matthews.
20	5	A parcel of arable land numbered 310 on the Ordnance Map, and containing 8A. 0R. 13P.	Earl of Romney and Viscount Marsham, and Sir Lawrence Jones.	ditto.
25	6	A parcel of arable land numbered 297 on the Ordnance Map, and containing 13A. 3R. 9P.	Earl of Romney and Viscount Marsham.	Herbert Tallent.
25		Given under the Seal of Office of the Local Government Board, this Twenty-fifth day of May, One thousand eight hundred and ninety-four.		
(L.S.)		G. SHAW-LEFEVRE, President. HUGH OWEN, Secretary.		

30 WEST KENT MAIN SEWERAGE DISTRICT.

West Kent
*Order.**Provisional Order for altering certain Local Acts.*

To the West Kent Main Sewerage Board ;—

To the Beckenham Local Board, being the Sanitary Authority for the Urban Sanitary District of Beckenham, in the County of Kent ;—

35 To the Bromley Local Board, being the Sanitary Authority for the Urban Sanitary District of Bromley, in the same County ;—

To the Dartford Local Board, being the Sanitary Authority for the Urban Sanitary District of Dartford, in the same County ;—

[257.]

B

A.D. 1894.
West Kent
Order.

To the Guardians of the Poor of the Bromley Union, in the same County,
being the Sanitary Authority for the Rural Sanitary District of that
Union ;—

And to all others whom it may concern.

38 & 39 Vict.
c. clxiii.

WHEREAS by the West Kent Main Sewerage Act, 1875 (herein-after 5
referred to as "the Act of 1875"), the West Kent Main Sewerage District
(herein-after referred to as "the Sewerage District") was constituted, and the
West Kent Main Sewerage Board (herein-after referred to as "the Sewerage
Board") was established and incorporated, for the purpose of constructing and
maintaining main sewers and other works for the more effectual sewerage of 10
parts of the western portion of the County of Kent ;

39 & 40 Vict.
c. lvii.
40 & 41 Vict.
c. lxxviii.
42 & 43 Vict.
c. lxxviii.
56 Viet c. xv.
50 & 51 Vict.
c. clxxix.

And whereas the said Act has been partially repealed and altered by the
West Kent Main Sewerage (Amendment) Act, 1876, the West Kent Main
Sewerage (Amendment) Act, 1877, and the West Kent Main Sewerage
(Amendment) Act, 1879 (all which Acts are herein-after collectively referred to 15
as "the Local Acts," and each Act separately as the Act of the year in which it
was passed), and by a Provisional Order of the Local Government Board dated
the Second day of June, One thousand eight hundred and eighty-six, and
confirmed by the Local Government Board's Provisional Orders Confirmation
(No. 7) Act, 1886, and by another Provisional Order of the Local Government 20
Board dated the Sixth day of June, One thousand eight hundred and eighty-
seven, and confirmed by the Local Government Board's Provisional Orders
(No. 5) Act, 1887 ;

And whereas the Beckenham Local Board, being the Sanitary Authority for
the Urban Sanitary District of Beckenham, in the County of Kent, the Bromley 25
Local Board, being the Sanitary Authority for the Urban Sanitary District of
Bromley, in the same County, the Dartford Local Board, being the Sanitary
Authority for the Urban Sanitary District of Dartford, in the same County,
the Guardians of the Poor of the Bromley Union, in the same County, being
the Sanitary Authority for the Rural Sanitary District of that Union, are (subject 30
as regards the Dartford Local Board to two certain Agreements dated respectively
the Twenty-sixth day of May, One thousand eight hundred and eighty-two, and
the Fourteenth day of November, One thousand eight hundred and ninety, and
made between that Local Board and the Sewerage Board) the Constituent
Authorities (herein-after referred to as "the Constituent Authorities") of the 35
Sewerage Board ;

And whereas by Section 59 of the Act of 1875 it is enacted that the several
Constituent Authorities shall contribute to the Sewerage Board according to the
degree in which their respective Districts are or will be benefited by the
execution and maintenance of the Sewerage Board's sewers ; 40

And whereas by Section 60 of the Act of 1875 it is (inter alia) enacted that
such of the several Constituent Authorities as shall for the time being be Rural
Sanitary Authorities shall only make and levy such rates as by that Act they are
authorised or required to make and levy for the purposes of that Act on such
Parishes or parts of Parishes within their respective districts as shall from time 45
to time be specially benefited by the construction and maintenance of the
Sewerage Board's sewers ;

And whereas by Section 62 of the Act of 1875 the Sewerage Board are empowered from time to time to make on the several Constituent Authorities such calls of money in respect of their contributions to the Sewerage Board required by that Act as that Board think fit ;

A.D. 1894.

West Kent
Order.

- 5 And whereas by Section 8 of the Act of 1879 the Local Government Board were empowered, on the application of the Sewerage Board or any Constituent Authority, to appoint a referee to determine and declare as among the several Constituent Authorities in what degree the district of each of them is or will be benefited by the execution and maintenance of the Sewerage
- 10 Board's sewers :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Acts shall be altered so as

15 to provide as follows ; namely,—

38 & 39 Vict.
c. 55.

- Art. I. The Sewerage Board shall, subject to the provisions of Section 8 of the Act of 1879, and subject also as regards the Dartford Local Board to the provisions of the said two Agreements of the Twenty-sixth day of May, One thousand eight hundred and eighty-two, and the Fourteenth day of November,
- 20 One thousand eight hundred and ninety, respectively, from time to time determine and declare the degree in which the respective districts of the Constituent Authorities are or will be benefited by the execution and maintenance of the sewers of the Sewerage Board, and notice in writing of every such determination and declaration shall be given by the Sewerage Board to
- 25 each Constituent Authority one month at least before the Sewerage Board make any call of money in respect of contributions calculated upon the degree of benefit shown by such determination and declaration.

Art. II. Section 60 of the Act of 1875 shall be altered by the omission of the word " specially."

- 30 Art. III. The Sewerage Board may from time to time make byelaws with respect to all or any of the following matters in the sewerage district :—

- (1.) For requiring a notice or notices to be given to the Sewerage Board by any person intending to cause any drain or sewer to communicate with a drain or sewer that communicates with a sewer of the Sewerage Board ;
- 35 (2.) For preventing (subject to any exceptions provided for in such byelaws) any drain or sewer used or intended to be used to convey any subsoil water, or the drainage of any land, garden, court, roof, roadway, or path, being connected with a sewer of the Sewerage Board, or with any sewer that is connected or is intended to be connected with a sewer of the
- 40 Sewerage Board :

Provided that no such byelaw shall prevent any drain which was at the commencement of this Order used to convey such water or drainage into a sewer of the Sewerage Board or into a sewer connected with a sewer of the Sewerage Board being continued to be so used.

- 45 Art. IV. It shall be the duty of the Constituent Authorities to enforce in their respective districts any byelaws made under Article III. of this Order, but, notwithstanding this provision, such byelaws may be enforced by the

A.D. 1894. Sewerage Board in the event of any Constituent Authority neglecting to enforce them.
West Kent Order.

Art. V. The provisions contained in the Public Health Act, 1875, with respect to byelaws and the penalties which may be imposed thereby and the recovery and application of penalties shall apply to all byelaws made under Article III. of this Order and to all penalties imposed thereby. 5

Art. VI. This Order may be cited as the West Kent Main Sewerage Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Twenty-fifth day of May, One thousand eight hundred and ninety- 10
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders

(No. 18).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary District of Kings Lynn (two), the Burnley Joint Hospital District, and the West Kent Main Sewerage District.

(Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
28 May 1894.

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[Price 1*s*d.]

[Bill 257.]

A

B I L L

TO

Confirm a Provisional Order of the Local Government Board relating to the Haslingden, Rawtenstall, and Bacup Outfall Sewerage District. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

10 1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. Order
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Order Confirmation (No. 19) Act, 1894. Short title.

SCHEDULE.

A.D. 1894. HASLINGDEN, RAWTENSTALL, AND BACUP OUTFALL
SEWERAGE DISTRICT.*Haslingden,
Rawtenstall,
and Bacup
Order.**Provisional Order for altering a Confirming Act.*

To the Haslingden and Rawtenstall Outfall Sewerage Board ; — 5

To the Mayor, Aldermen, and Burgesses of the Borough of Bacup, being
the Urban Sanitary Authority for that Borough ; —To the Mayor, Aldermen, and Burgesses of the Borough of Haslingden,
being the Urban Sanitary Authority for that Borough ; —To the Mayor, Aldermen, and Burgesses of the Borough of Rawtenstall, 10
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

53 & 54 Vict.
c. lxxxv.

WHEREAS by a Provisional Order of the Local Government Board dated the Twentieth day of May, One thousand eight hundred and ninety, and duly confirmed by the Local Government Board's Provisional Orders Confirmation 15
(No. 7) Act, 1890 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Government Districts of Haslingden and Rawtenstall were formed into a United District (herein-after referred to as "the United District"), called the Haslingden and Rawtenstall Outfall Sewerage District, for the purpose of making and maintaining a system 20
of outfall sewerage, and otherwise carrying into effect a system of sewage disposal for the Constituent Districts ;

And whereas by Article III. of the Order it was ordered that the Joint Board, which should be the governing body of the United District, should consist of two ex-officio and ten elective members, and should be called the Haslingden 25
and Rawtenstall Outfall Sewerage Board (herein-after referred to as "the Joint Board") ;

And whereas by Article IV. of the Order it was ordered that the ex-officio members should be the persons described in column 3 of the Schedule thereto, and that the elective members should be elected by the said Urban Sanitary 30
Authorities (therein referred to as "the Constituent Authorities") ;

And whereas by Article V. of the Order it was ordered that the number of members of the Joint Board to be elected by each of the Constituent Authorities should be that set opposite to the name of each of such Authorities in column 4 of the said Schedule, and that the said members should be chosen by the 35
members of each of the Constituent Authorities from among the members of its own body ;

And whereas by Article XI. of the Order it was (inter alia) provided that four members of the Joint Board should constitute a quorum ;

And whereas by Article XIII. of the Order the purposes for which the United 40
District was formed were defined, and it was provided that it should be the duty

of the Joint Board to carry out and perform the purposes for which the United District was formed within three years from the date of the Confirming Act, and that, in default of their so doing, they should be deemed to be a local authority which had made default in providing their District with sufficient sewers, within
 5 the meaning of Section 299 of the Public Health Act, 1875 ;

A.D. 1894.
*Haslingden,
 Rawtenstall,
 and Bacup
 Order.*

And whereas by Article XV. of the Order it was provided that the expenses incurred by the Joint Board in carrying out the purposes for which the United District was formed, including all establishment charges, remuneration to treasurer, clerk, officers, and servants, should be defrayed out of a common fund,
 10 to be contributed by the Constituent Districts respectively, in manner provided by Section 283 of the Public Health Act, 1875 ;

And whereas since the formation of the United District each of the said Local Government Districts has been created a Borough ;

And whereas it is expedient that the Urban Sanitary District of Bacup should
 15 be included in the United District, and that the provisions herein-after contained should be made in connexion therewith :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act
 20 of Parliament confirming this Order, the Confirming Act, so far as it relates to the Order, shall be altered so that the following provisions shall take effect ; viz.,—

38 & 39 Vict.
 c. 55.

Art. I. This Order shall, except so far as is otherwise herein expressly provided to the contrary, come into operation on the day of the meeting of the
 25 Joint Board held next after the first election of members thereof to represent the Urban Sanitary District of Bacup as herein-after provided.

Art. II. The United District shall be extended so as to include the Urban Sanitary District of Bacup, and throughout the Order and this Order reference to the Constituent Districts shall be deemed to include the Urban Sanitary
 30 District of Bacup, and reference to the Constituent Authorities shall be deemed to include the Urban Sanitary Authority for the Borough of Bacup.

Art. III. The name of the United District shall be altered, and shall be the Haslingden, Rawtenstall, and Bacup Outfall Sewerage District, and the name of the Joint Board shall be altered, and shall be the Haslingden, Rawtenstall,
 35 and Bacup Outfall Sewerage Board.

Art. IV. The number of ex-officio members of the Joint Board shall be increased from two to three, and the number of elective members shall be increased from ten to fifteen, and the Schedule to this Order shall be substituted for the Schedule to the Order, and the reference in Articles IV. and V. of the
 40 Order to the Schedule thereto shall be deemed to apply to the Schedule to this Order.

Art. V.—(1.) The Urban Sanitary Authority for the Borough of Bacup shall, within four weeks from the date of the Act of Parliament confirming this Order, elect five persons from among its own members to be their representatives
 45 on the Joint Board, and such five persons, and the ex-officio representative of that Authority, shall come into office as members of the Joint Board on the day of such election.

A.D. 1894.

*Haslingden,
Rawtenstall,
and Bacup
Order.*45 & 46 Vict.
c. 50.

(2.) The town clerk of the Borough of Bacup shall forthwith after such election notify in writing to the clerk to the Joint Board the names, addresses, and occupations of the persons so elected.

Art. VI. The following provision shall be substituted for Article VI. of the Order; viz,—

“The provisions of Section 12 of the Municipal Corporations Act, 1882, shall, mutatis mutandis, apply to members of the Joint Board.”

Art. VII.—(1.) The first paragraph of Article XI. of the Order shall be altered by the insertion of the words “six members” in lieu of the words “four members.”

(2.) Article XI. of the Order shall be altered by the addition thereto of the following paragraph:—

“The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which, in the opinion of the Joint Board, can be properly exercised by committees, but the acts of every such committee shall, unless otherwise directed by the Joint Board, be submitted to the Joint Board for approval: Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract, and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act, 1894, so far as they are applicable.”

(3.) Article XIV. of the Order shall be altered by the omission of all reference to Sections 200, 203, and 204 of the Public Health Act, 1875.

Art. VIII. Article XIII. of the Order shall be altered so that it shall be deemed to have been and to be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of six years from the date of the Confirming Act.

Art. IX. The Urban Sanitary Authority for the Borough of Bacup shall pay into the common fund of the Joint Board, in addition to the payments to be made by them under Article XV. of the Order in respect of the future expenditure of the Joint Board, such a sum as will represent the amount which they would have contributed to the common fund if they had originally been a constituent authority, in respect of the expenditure incurred by the Joint Board prior to the date when this Order shall come into operation, and the sums so paid into the common fund shall be applied in reduction of the future payments to be made thereto by the Urban Sanitary Authorities for the Boroughs of Haslingden and Rawtenstall.

Art. X.—(1.) The twelve members of the Joint Board representing the Boroughs of Bacup and Rawtenstall shall constitute a committee of the Joint Board which shall have power to construct and maintain a joint sewer from the point in the Thrutch where the boundary between the Boroughs of Bacup and Rawtenstall crosses the Bacup and Haslingden main road to the main sewer in the Borough of Haslingden at Ewood Bridge in order to carry the sewage of those Boroughs to the outfall works of the Joint Board.

(2.) The Mayor of the Borough of Rawtenstall for the time being shall be the chairman of the said committee; but in his absence from any meeting the committee shall choose a chairman.

(3.) The quorum, proceedings, and place of meeting of the said committee shall be such as the committee direct, and the chairman at any meeting of the said committee shall have a second or casting vote, but the acts of the said committee shall not require the approval of the Joint Board.

A.D. 1894.

*Haslingden,
Rawtenstall,
and Bacup
Order.*

- 5 (4.) The Joint Board shall, at the request of the said committee, enter into and enforce all such contracts as may in the opinion of the committee be necessary or convenient for executing the powers and carrying into effect the purposes of the committee, and shall, on the like request, borrow, under and in accordance with the provisions of the Public Health Act, 1875, any moneys
10 which the said committee may require to defray capital expenditure from time to time sanctioned by the Local Government Board.

- (5.)—(a.) The expenses of and incidental to the construction by the said committee of the said main sewer, including the interest on, and payment of, any moneys borrowed by the Joint Board on behalf of the said committee, shall
15 be charged and apportioned between the Boroughs of Bacup and Rawtenstall in the following proportions, viz., the Borough of Bacup five-twelfths, and the Borough of Rawtenstall seven-twelfths.

- (b.) All other expenses incurred by the said committee, including the expenses of and incidental to the maintenance of the said main sewer, shall be charged
20 and apportioned between the Boroughs of Bacup and Rawtenstall in proportion to the rateable value of the property in each Borough, such value to be ascertained according to the valuation list in force for the time being.

- (c.) For the purpose of raising the money necessary to defray the expenses incurred by the said committee the Joint Board shall, at the request of the said
25 committee, include in the precepts which they may from time to time issue to the Urban Sanitary Authorities for the Boroughs of Bacup and Rawtenstall in respect of their contributions to the common fund of the Joint Board the amount of the expenses of the committee so apportioned as aforesaid, and the sums so raised, after deduction of the amount necessary to defray the payments of
30 principal and interest in respect of moneys so borrowed as aforesaid, shall be placed to the account of the said committee with the treasurer of the Joint Board :

- Provided that all sums due in respect of any contract entered into by the Joint Board on behalf of the said committee shall, unless otherwise agreed between
35 the Joint Board and the said committee, be paid by the committee to the person entitled thereto within one month after the receipt by the said committee of moneys from the Joint Board, or within one month after the payment becomes due, as the case may be, and in default the Joint Board shall be at liberty to pay the same and deduct the amount from the next payment due to the said
40 committee.

(6.) Article XX. of the Order shall apply to any difference between the Joint Board and the said committee, as well as to any difference between the Boroughs represented on the said committee.

- Art. XI. This Order may be cited as the Haslingden, Rawtenstall, and Bacup
45 Outfall Sewerage Order, 1894.

A.D. 1894.

The SCHEDULE above referred to.

*Hastlingden,
Rawtenstall,
and Bacup
Order.*

URBAN SANITARY DISTRICTS.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Borough of Bacup -	The Mayor, Aldermen, and Burgesses of the Borough of Bacup, acting by the Council.	1	The Mayor - -	5
				10
The Borough of Haslingden.	The Mayor, Aldermen, and Burgesses of the Borough of Haslingden, acting by the Council.	1	ditto	5
				15
The Borough of Rawtenstall.	The Mayor, Aldermen, and Burgesses of the Borough of Rawtenstall, acting by the Council.	1	ditto - -	5
				20

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of May, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW LEFEVRE, President.
HUGH OWEN, Secretary.

25

Local Government Provisional Order (No. 19).

A

B I L L

To confirm a Provisional Order of the
Local Government Board relating to
the Haslingden, Rawtenstall, and
Bacup Outfall Sewerage District.

(*Prepared and brought in by*
Sir Walter Foster and Mr. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
30 May 1894.

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[*Price 1d.*]

[Bill 262.]

A

B I L L

TO

Confirm a Provisional Order of the Local Government Board under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Urban Sanitary District of Wokingham. A.D. 1894.

WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875 : 33 & 34 Vict.
c. 70.
38 & 39 Vict.
c. 55.

5 And whereas it is requisite that the said Order should be confirmed by Parliament, and that the provision herein contained should be enacted with reference thereto :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and
10 Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. The Order
in schedule
confirmed.

15 2. The Sanitary Authority mentioned in the said Order shall not, without the consent of the Local Government Board, purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses
20 which after the passing of this Act have been, or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Restriction
of power to
take houses
of labouring
class.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for
25 wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others

[Bill 226.]

A

A.D. 1894. — except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's 5
Provisional Order Confirmation (Gas) Act, 1894.

SCHEDULE.

A.D. 1894.

BOROUGH OF WOKINGHAM.

Wokingham
(Gas)
Order.*Provisional Order under the Gas and Water Works Facilities
Act, 1870.*

- 5 To the Mayor, Aldermen, and Burgesses of the Borough of Wokingham,
being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

- WHEREAS the Borough of Wokingham (herein-after referred to as “the
Borough”) is an Urban Sanitary District, of which the Mayor, Aldermen, and
10 Burgesses, acting by the Council, are the Urban Sanitary Authority, and are
herein-after referred to as “the Sanitary Authority” ;

- And whereas the Sanitary Authority have (subject to the sanction of the
Local Government Board) agreed to buy, and the Wokingham Gas and Coke
Company (herein-after referred to as “the Company”) have, in pursuance of a
15 resolution passed by a majority of three-fourths in number and value of the
members present, either personally or by proxy, at a meeting of the Company
specially convened with notice of the business to be transacted, agreed to sell
and transfer to the Sanitary Authority all the interest of the Company in the
lands, hereditaments, and premises described in the Schedule hereto, and all the
20 gas-making apparatus, plant, and utensils, and other effects of the Company (in
this Order referred to as “the undertaking of the Company”)

- And whereas the Sanitary Authority are, under the Public Health Act, 1875,
themselves empowered to supply gas for the whole of the Borough, and have
applied to the Local Government Board to issue a Provisional Order authorising
25 them to maintain and continue the undertaking of the Company, if and when the
same shall be acquired by them, to manufacture and supply gas, and to borrow
money for those purposes :

- Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 161 of the Public Health Act, 1875, and by any other
30 enactments in that behalf, do hereby Order that, from and after the date of
the Act of Parliament confirming this Order, the following provisions shall take
effect ; viz.,—

Art. I. This Order may be cited as “The Wokingham Gas Order, 1894.”

- Art. II. The several words and expressions to which by the Acts in whole or
35 in part incorporated with this Order, and by the Gas and Water Works Facilities
Act, 1870, meanings are assigned, have in this Order the same respective
meanings (unless there be something in the subject or context repugnant to that
construction).

A.D. 1894. Art. III. The limits within which this Order shall be in force and have effect shall be the boundaries of the Borough.

Wokingham
(Gas)
Order.

Art. IV. The Sanitary Authority shall, in relation to the purposes of this Order, exercise and be subject to all the powers and provisions of the Public Health Act, 1875, so far as the same are applicable to the purposes of this Order, but nothing herein contained shall empower the Sanitary Authority to acquire lands otherwise than by agreement, or to acquire any lands by agreement other than those mentioned in the Schedule hereto. 5

Art. V. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking, and except Section 127 of the Lands Clauses Consolidation Act, 1845), and the provisions of the Gasworks Clauses Act, 1847 (except Sections 30 to 38, both inclusive, and Sections 41, 43, 45, 46, and 47 thereof), and of the Gasworks Clauses Act, 1871 (except Sections 24 to 27, both inclusive, Sections 29 and 35, and Schedule B. thereof), are incorporated with this Order, but subject to such alterations as this Order may make therein; and the said provisions of the said Gasworks Clauses Acts shall apply to mains, pipes, or works acquired by or vested in the Sanitary Authority under or by virtue of the Public Health Act, 1875, or of this Order, and to mains, pipes, or works which may be laid down or constructed under the authority of this Order. 10 15 20

Art. VI. The Sanitary Authority may (when the undertaking of the Company shall have been acquired by them), upon the lands described in the Schedule hereto, maintain, repair, renew, and continue, and from time to time construct, alter, enlarge, or, when necessary, remove buildings, apparatus, and works for the manufacture and storage of gas, and of coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and other refuse or residual products arising from the manufacture of gas, and any matters producible therefrom, and dwellings for any persons employed in the said works, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the Borough for public and private purposes, and may convert or manufacture coke, culm, asphaltum, pitch, coal-tar, oil, ammoniacal liquor, and all refuse or residual products arising from the manufacture of gas by them, and any matters producible therefrom, and may sell and dispose of the same at the gasworks and elsewhere. 25 30 35

Art. VII. The Sanitary Authority shall not manufacture gas, or any residual products arising in the manufacture of gas, or store gas, on any land other than that specified in the Schedule hereto.

Art. VIII. The Sanitary Authority may manufacture, purchase, or hire, and sell or let on hire, gas-cooking ovens, stoves, meters, ranges, burners, or other fittings or apparatus used in the supply or consumption of gas for lighting or heating purposes. 40

Art. IX. The quality of the gas supplied by the Sanitary Authority shall, with respect to its illuminating power, be such as to produce at the testing place herein-after mentioned a light equal in intensity to the light produced by fifteen sperm candles of six to the pound, and shall, in all respects, be in accordance with the provisions of the Gasworks Clauses Act, 1871. 45

Art. X. The Sanitary Authority shall, before supplying, or within one month after commencing to supply, gas under the authority of this Order, provide and maintain a suitable photometer and other necessary appliances for the purpose of testing the quality of the gas, and shall at all times keep the same in proper order and repair.

A.D. 1894.

Wokingham
(Gas)
Order.

Art. XI. All gas supplied by the Sanitary Authority to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six-tenths of an inch in height, and from sunset to midnight a column of water not less than eight-tenths of an inch in height, at the main or as near as may be to the junction therewith of the service pipe supplying such consumer.

Art. XII. For the purposes of the Gasworks Clauses Act, 1871, the prescribed testing place shall be a testing place to be provided by the Sanitary Authority at the gasworks situate on the land described in the Schedule hereto, before supplying, or within one month after commencing to supply, gas under the authority of this Order, and the burner to be used for testing the gas shall be a Sugg's "London" Argand No. 1, with a six-inch by one and three-quarter inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used. Any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, not being the immediate approach to any railway bridge or railway station, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

Art. XIII. No penalty shall be incurred by the Sanitary Authority for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them, in any case in respect of which it is proved that such insufficiency, defect, or excess was produced by an unavoidable cause or accident.

Art. XIV. The price to be charged by the Sanitary Authority for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet, and so on in proportion for any less quantity supplied: Provided nevertheless that every odd fraction or portion of one hundred cubic feet may be charged for as one hundred cubic feet.

Art. XV. The Sanitary Authority may, with the sanction of the Local Government Board, and for the purposes of this Order (which purposes shall be deemed to include the costs payable by the Sanitary Authority of and connected with the preparation and making of this Order, and the sum to be paid for the purchase of the undertaking of the Company), borrow money upon the security of the moneys from time to time received by them by way of revenue under this Order, and upon the security of the district fund and general district rate of the Borough, or upon either of such securities.

Art. XVI. For the purpose of raising money under this Order the provisions of the Local Loans Act, 1875, shall be available to the Sanitary Authority, and Sections 236 to 238 (both inclusive) of the Public Health Act,

A.D. 1894. 1875, shall apply to all moneys borrowed and re-borrowed on mortgage under
Wokingham this Order.

(Gas)
 Order.

Art. XVII. The moneys borrowed under this Order shall be repaid within
 such period, not exceeding fifty years from the date of borrowing, as the
 Sanitary Authority, with the sanction of the Local Government Board, shall in 5
 each case determine, and the period so determined and sanctioned is herein-
 after referred to as "the prescribed period," and shall be, with reference to the
 moneys to be repaid therein, the prescribed period for the purposes of the Local
 Loans Act, 1875.

Art. XVIII.—(1.) The Sanitary Authority shall repay the moneys borrowed 10
 or to be borrowed under this Order (other than moneys borrowed under
 the provisions of the Local Loans Act, 1875,) by equal annual instalments of
 principal, or by equal annual instalments of principal and interest combined, or
 by means of a sinking fund, or partly by one of these methods and partly by 15
 another or the others of them.

(2.) Subject to the provisions of Article XIX. of this Order, if the Sanitary
 Authority determine to repay by means of a sinking fund any moneys borrowed
 or to be borrowed under this Order, such sinking fund shall be formed and
 maintained either—

(a.) By payment to the fund throughout the prescribed period of such equal 20
 annual sums as will together amount to the moneys for the repayment of
 which the sinking fund is formed. A sinking fund so formed is herein-after
 called a non-accumulating sinking fund ; or

(b.) By payment to the fund throughout the prescribed period of such equal 25
 annual sums as with accumulations at a rate not exceeding three pounds per
 centum per annum will be sufficient to pay off within the prescribed period
 the moneys for the repayment of which such sinking fund is formed. A
 sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating 30
 sinking fund, the interest on the investments of the sinking fund, shall, unless
 applied in repayment of the loan in respect of which the sinking fund is formed,
 be immediately invested in securities in which trustees are by law for the time
 being authorised to invest, or in mortgages, bonds, debentures, debenture stock,
 stock, or other securities (not being annuity certificates or securities payable to 35
 bearer) duly issued by any Local Authority, as defined by Section 34 of the
 Local Loans Act, 1875, other than the Sanitary Authority, the Sanitary
 Authority being at liberty from time to time to vary and transpose such
 investments.

(4.) In the case of a non-accumulating sinking fund the interest on the invest- 40
 ments of the fund may be applied by the Sanitary Authority towards the equal
 annual payments to the fund.

(5.) The Sanitary Authority may at any time apply the whole or any part
 of any sinking fund in or towards the discharge of the money for the repay-
 ment of which the fund is formed : Provided that, in the case of an accumulating 45
 sinking fund, the Sanitary Authority shall pay into the fund each year, and
 accumulate during the residue of the prescribed period, a sum equal to the
 interest which would have been produced by such sinking fund so applied

if invested at the rate per centum per annum on which the annual payments to the sinking fund are based. A.D. 1894.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested, if the same were invested, at the rate per centum per annum on which the equal annual payments to the fund are based, any deficiency shall be made good by the Sanitary Authority.

Wokingham
(Gas)
Order.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested, if the same were invested, at the rate per centum per annum on which the equal annual payments to the fund are based, any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order shall be paid by the Sanitary Authority, in addition to the payments provided for by this Order.

Art. XIX.—(1.) If it appears to the Sanitary Authority at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Sanitary Authority to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose : Provided that if it appears to the Local Government Board that any such increase is necessary, the Sanitary Authority shall increase the payments to such extent as the Board may direct.

(2.) If the Sanitary Authority desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, the Sanitary Authority may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time, together with the probable accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be sufficient to repay the loan in respect of which it is formed within the prescribed period, the Sanitary Authority may, with the consent of that Board, discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Sanitary Authority, with the consent of the Local Government Board, may determine.

Art. XX. The Sanitary Authority shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or

A.D. 1894. re-borrowed under this Order which have not been repaid and are intended
 Wokingham to be forthwith repaid, or in respect of any moneys which have been repaid by
 (Gas) the temporary application of funds at the disposal of the Sanitary Authority
 Order. within twelve months before the re-borrowing, and which at the time of the
 repayment it was intended to re-borrow :

5

Provided that the Sanitary Authority shall not have power to re-borrow for
 the purpose of paying off any moneys repaid by instalments or annual payments,
 or by means of a sinking fund, or out of moneys derived from the sale of land,
 or out of any capital moneys properly applicable to the purpose of such
 repayment, other than moneys borrowed for that purpose : Provided also, that 10
 any moneys re-borrowed shall be deemed to form the same loan as the money
 for the repayment of which the re-borrowing has been made, and shall be repaid
 within the prescribed period.

Art. XXI.—(1.) The town clerk of the Borough shall, within twenty-one days
 after the Thirty-first day of March in each year, if during the twelve months 15
 next preceding the said Thirty-first day of March any sum is required to be
 paid as an instalment or annual payment, or to be appropriated, or to be paid
 to a sinking fund, in pursuance of the provisions of this Order, or in respect of
 any money raised thereunder, and at any other time when the Local Government
 Board may require such a return to be made, transmit to the Local Govern- 20
 ment Board a return, in such form as may from time to time be prescribed by that
 Board, and, if required by that Board, verified by statutory declaration of
 such town clerk showing for the year next preceding the making of such
 return, or for such other period as the Board may prescribe, the amounts
 which have been paid as instalments or annual payments, and the amounts 25
 which have been appropriated, and the amounts which have been paid
 to or invested or applied for the purpose of the sinking fund, and the
 description of the securities upon which any investment has been made, and
 the purposes to which any portion of the sinking fund or investment, or of the
 sums accumulated by way of compound interest, has been applied during the 30
 same period, and the total amount (if any) remaining invested at the end of
 the year ; and, in the event of his failing to make such return, such town clerk
 shall for each offence be liable to a penalty not exceeding twenty pounds,
 to be recovered by action on behalf of the Crown in the High Court ; and,
 notwithstanding the recovery of such penalty, the making of the return shall be 35
 enforceable by writ of mandamus, to be obtained by the Local Government
 Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise,
 that the Sanitary Authority have failed to pay any instalment or annual payment
 required to be paid, or to appropriate any sum required to be appropriated, or to 40
 set apart any sum required for any sinking fund (whether such instalment or
 annual payment or sum is required by this Order, or by the Local Government
 Board in virtue thereof, to be paid, appropriated, or set apart), or have applied
 any portion of any sinking fund to any purpose other than those authorised, the
 Local Government Board may, by Order, direct that the sum in such Order 45
 mentioned, not exceeding double the amount in respect of which default has been
 made, shall be paid or applied as in such Order mentioned ; and any such Order

shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

A.D. 1894.
Wokingham
(Gas)
Order.

Art. XXII. All moneys from time to time borrowed or re-borrowed under this Order shall be applied by the Sanitary Authority only for the purposes for
5 which the same are respectively authorised to be borrowed or re-borrowed, excepting that moneys which may have been borrowed or re-borrowed in excess of the amount required shall be applied in such manner as the Sanitary Authority, with the approval of the Local Government Board, determine; and all money received by the Sanitary Authority under this Order, either as purchase money
10 of lands sold, or for equality of exchange, or as consideration for a lease, shall be applied to works or objects on which capital may properly be expended, when the Local Government Board have sanctioned the application of the same to those purposes, or shall be applied, according as the Sanitary Authority may determine, towards the reduction of the debt owing by the Sanitary Authority
15 or towards the increase of the sinking fund set apart under this Order: Provided that it shall not be in any way incumbent on any mortgagee to see to the application of any moneys so borrowed or re-borrowed, nor shall the mortgagee be responsible for any misapplication thereof.

Art. XXIII. The powers of borrowing and re-borrowing conferred by this
20 Order shall be deemed to be distinct from, and in addition to, the powers of borrowing and re-borrowing conferred on the Sanitary Authority by the Public Health Act, 1875.

Art. XXIV. — (1.) The mortgagees of the Sanitary Authority under this Order may enforce the payment of arrears of interest or of principal, or
25 of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court, and the Court, if it thinks fit, may appoint a receiver on such terms
30 as it thinks fit, and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. XXV. When the Sanitary Authority require money to be deposited by any person with them by way of security for the payment to them of any moneys which may become due to them by such person in respect of any supply
35 of gas, or of the purchase or hire of any meter, the Sanitary Authority shall pay interest at the rate of three pounds per centum per annum on every sum of ten shillings so deposited, for every six months during which the same remains in their hands: Provided that the Sanitary Authority may, if they think fit, invest any money so deposited with them in the manner provided by subdivision (3) of
40 Article XVIII. of this Order as to the sinking fund, and in that case the Sanitary Authority shall pay no higher rate of interest than they themselves receive thereon.

Art. XXVI. The Sanitary Authority shall keep separate capital and revenue accounts of all receipts, credits, payments, liabilities, and transactions
45 in and about the execution of this Order, and from or on account of the gas undertaking hereby authorised, which accounts shall be distinct from the other

A.D. 1894. accounts of the Sanitary Authority, and shall be called respectively "the Gas Capital Account" and "the Gas Revenue Account."

Wokingham
(Gas)
Order.

Art. XXVII. All moneys from time to time received by the Sanitary Authority by way of revenue under this Order shall be applied for the following purposes:—

5

In payment of the gas establishment charges (that is to say) of the expenses properly chargeable to revenue of establishing, conducting, managing, and maintaining the gasworks and works connected therewith;

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of this Order;

10

In providing for the discharge of any moneys borrowed or re-borrowed for the purposes of this Order in accordance with the provisions of this Order, or if such money was borrowed thereunder, of the Local Loans Act, 1875;

In setting apart, if the Sanitary Authority think fit, a yearly sum not exceeding ten pounds per centum of such revenue, for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said gasworks and works connected therewith, or any other extraordinary expenditure authorised by this Order: Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in subdivision (3) of Article XVIII. of this Order as to the sinking fund, until it amounts, according to the market price of such investments, to the sum of five hundred pounds, and that whenever the reserve fund amounts, according to the market price of such investments, to the sum of five hundred pounds the income therefrom shall be applied in the same manner as money received by the Sanitary Authority by way of revenue under this Order;

20

25

In payment, if the Sanitary Authority think fit, of the expenses of executing any permanent works authorised by this Order;

The residue (if any) of such revenue shall be carried to the credit of the district fund, but no part of such revenue shall be carried to the credit of the district fund when the price of gas to private consumers exceeds three shillings per one thousand cubic feet.

30

Art. XXVIII. The Sanitary Authority shall keep separate records of the quantities of gas supplied to private consumers and for public lighting respectively. The price charged for gas for public lighting shall not be less than that charged to private consumers by more than ten per cent.

35

Art. XXIX. The Sanitary Authority shall not defray any of the charges and expenses of carrying this Order into execution, other than payments required to be made in respect of money borrowed on mortgage of the district fund and general district rate, out of that fund or rate when the price of gas to private consumers is less than five shillings and sixpence per one thousand cubic feet.

40

Art. XXX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by

45

the Sanitary Authority, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Sanitary Authority shall be a debt due to the Crown from the Sanitary Authority.

A.D. 1894.

Wokingham
(Gas)
Order.

- 5 Art. XXXI. If any difference arise between the Sanitary Authority and any railway, canal, or other company whose lands or works the Sanitary Authority have power to cross under the authority of this Order for the purpose of meeting the demands for gas within the Borough, as to the mode of laying down, repairing altering, or enlarging the pipes or the facilities to be afforded for the same, the
- 10 same shall be settled by an engineer to be appointed by the Local Government Board at the request of either party; and the costs and expenses of and incidental to such appointment shall be paid by the Sanitary Authority and the Company in equal moieties, unless the Local Government Board otherwise direct.

15

The SCHEDULE above referred to.

- 20 All that piece of land, together with the gasworks and other buildings thereon, belonging to the Wokingham Gas and Coke Company, situate in the parish and borough of Wokingham, in the county of Berks, containing 1,920 square yards or thereabouts on the east side of and adjoining the high road leading from Wokingham to Sandhurst and Finchampstead, and called the Finchampstead Road, and having a frontage to that road of 110 feet or thereabouts, and bounded on or towards the north by property belonging or reputed to belong to Mrs. Warwick and Messrs. Brakspear, and on or towards the south by property belonging or reputed to belong to Mr. Arthur Everest and Mr. William Neal.

25

Given under the Seal of Office of the Local Government Board, this
Nineteenth day of April, One thousand eight hundred and ninety-
four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Order (Gas).

A

B I L L

To confirm a Provisional Order of the
Local Government Board under the
Gas and Water Works Facilities Act,
1870, and the Public Health Act,
1875, relating to the Urban Sanitary
District of Wokingham.

(*Prepared and brought in by*
Sir Walter Foster and Mr. G. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
10 May 1894.

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[Bill 226.]

A

B I L L

TO

Confirm a Provisional Order of the Local Government Board under the Housing of the Working Classes Act, 1890, relating to the Urban Sanitary District of Portsmouth.

WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto under the provisions of the Housing of the Working Classes Act, 1890: 53 & 54 Vict. c. 70

And whereas it is requisite that the said Order should be
5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

10 1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Order Confirmation (Housing of Working Classes)
15 Act, 1894.

A.D. 1894.

Portsmouth
Order.

SCHEDULE.

BOROUGH OF PORTSMOUTH.

*Provisional Order for confirming an Improvement Scheme under
Part I. of the Housing of the Working Classes Act, 1890.*

To the Mayor, Aldermen, and Burgesses of the Borough of Portsmouth, 5
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

53 & 54 Vict.
c. 70.

WHEREAS it is enacted by Section 4 of the Housing of the Working Classes Act, 1890 (herein-after referred to as "the Act"), that where an official representation for the purposes of Part I. of the Act is made, in accordance with the provisions of the Act, to the Local Authority that, within a certain area in the District of such Authority, either— 10

- (a) any houses, courts, or alleys are unfit for human habitation, or
- (b) the narrowness, closeness, and bad arrangement, or the bad condition of the streets and houses or groups of houses within such area, or the want of 15
light, air, ventilation, or proper conveniences, or any other sanitary defects, or one or more of such causes, are dangerous or injurious to the health of the inhabitants either of the buildings in the said area, or of the neighbouring buildings,

and that the evils connected with such houses, courts, or alleys, and the sanitary 20
defects in such area cannot be effectually remedied, otherwise than by an improvement scheme for the re-arrangement and re-construction of the streets and houses within such area, or of some of such streets or houses, the Local Authority shall take such representation into their consideration ; and if satisfied of the truth thereof, and of the sufficiency of their resources, shall pass a resolution to 25
the effect that such area is an unhealthy area, and that an improvement scheme ought to be made in respect of such area, and, after passing such resolution, shall forthwith proceed to make a scheme for the improvement of such area ;

And whereas the Borough of Portsmouth is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority and the Local Authority under the Act, and are herein-after referred to as "the Local Authority";

A.D. 1894.
—
Portsmouth
Order.

- 5 And whereas an official representation for the purposes of Part I. of the Act has been made to the Local Authority, in accordance with the provisions of the Act, that the narrowness, closeness, and bad arrangement, and the bad condition of the streets and houses within the area comprising the houses and buildings abutting on Smith's Lane, Rosemary Lane, College Lane, and the passage
10 leading from College Lane to College Street are dangerous and injurious to the health of the inhabitants of the buildings in the said area and of the neighbouring buildings, and that the evils connected with such houses, courts, or alleys and the sanitary defects in such area cannot be effectually remedied otherwise than by an improvement scheme for the re-arrangement and re-con-
15 struction of the streets and houses within the above-mentioned area;

And whereas the Local Authority, being satisfied of the truth of such official representation and of the sufficiency of their resources, have passed a resolution that the area described in the said official representation is an unhealthy area, and that an Improvement Scheme ought to be made in respect of such area;

- 20 And whereas the Local Authority, after passing such resolution as aforesaid, made a Scheme (herein-after referred to as "the Scheme") for the improvement of the said area, but have deemed it expedient to exclude from the Scheme the houses abutting on the passage leading from College Lane to College Street, and for the purpose of making the Scheme efficient for sanitary purposes have
25 included in the Scheme certain neighbouring lands, viz., an area containing two houses with their appurtenances, bounded on the north by College Lane, on the east by Butcher Street, and on the west by Rosemary Lane;

And whereas the Scheme was accompanied by a map, and by particulars, and estimates, which Scheme and estimates are as follow :—

30 " PORTSEA IMPROVEMENT SCHEME.

- " The Scheme is to acquire the whole of the properties within the area bounded by
" College Lane on the north, by Rosemary Lane on the east, and by Smith's Lane on
" the west, and also a house at the south-west corner of Rosemary Lane fronting into
" Ordnance Row, and two houses at the south-east corner of Smith's Lane, and also
35 " fronting into Ordnance Row aforesaid, but not the intervening houses in Ordnance
" Row. It is also proposed to acquire two houses in Butcher Street at the corner
" of College Lane. All the foregoing are in the Town of Portsea, in the said
" Borough.

- 40 " The lands proposed to be taken compulsorily are all the lands forming the above
" area except the two houses in Butcher Street at the corner of College Lane.

" ALEXR. HELLARD,
" Town Clerk.

" ESTIMATE OF COST OF CARRYING OUT THE SCHEME.

	£	s.	d.
" Cost of acquiring all the properties within the area described			
" in the Scheme	3,550	0	0
" Cost of widening and making up the streets on which the			
" properties comprised in the Scheme abut	476	17	8
	4,026	17	8"

(4.) The Local Authority shall not, without Our sanction, sell or let any of the lands within the areas comprised in the Scheme for any purpose other

than the erection of suitable dwellings for the accommodation of persons of the working class. A.D. 1891.

Portsmouth
Order.

5 (5.)—(a.) The buildings on the lands within the limits of the areas comprised in the Scheme, other than those on the lands numbered 54 and 55, shall be demolished within one year after the date of the Act of Parliament confirming this Order.

10 (b.) The Local Authority shall, within three years from the date of the Act of Parliament confirming this Order, cause suitable dwellings, according to plans to be approved by Us, to be provided on such lands, for the accommodation of not less than seventy-five persons of the working class.

15 (c.) All lands on which any dwellings shall have been erected or provided in pursuance of this Scheme shall, for a period of twenty-five years from the passing of the Act of Parliament confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this provision.

Art. IV. The Local Government Board may, by Order, approve of any additional expenditure beyond that included in the estimate accompanying the Scheme which may be incurred by the Local Authority in consequence of themselves undertaking the erection of such dwellings as aforesaid.

20 Given under the Seal of Office of the Local Government Board, this
Second day of December, One thousand eight hundred and
ninety-three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

Local Government Provisional Order (Housing of Working Classes).

A

B I L L

To confirm a Provisional Order of the
Local Government Board under
the Housing of the Working Classes
Act, 1890, relating to the Urban
Sanitary District of Portsmouth.

(*Prepared and brought in by*
Sir Walter Foster and Mr. Shaw-Lefevre.)

Ordered, by The House of Commons, to be Printed,
13 March 1894.

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[Bill 3.]

A

B I L L

TO

Confirm certain Provisional Orders of the Local Govern- A.D. 1894.
ment Board under the Housing of the Working Classes
Act, 1890, relating to the Urban Sanitary Districts of
Sheffield, Sunderland, and Wigan.

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto, under
the provisions of the Housing of the Working Classes Act, 1890: 53 & 54 Vict.
And whereas it is requisite that the said Orders should be c. 70.

5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:—

10 1. The Orders set out in the schedule hereto shall be and the
same are hereby confirmed, and all the provisions thereof shall have
full validity and force. The Provi-
sional Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Orders Confirmation (Housing of Working Classes)
15 (No. 2) Act, 1894.

A.D. 1894.

Sheffield
Order.SCHEDULE.

CITY OF SHEFFIELD.

*Provisional Order for confirming an Improvement Scheme under
Part I. of the Housing of the Working Classes Act, 1890.*

To the Mayor, Aldermen, and Citizens of the City of Sheffield, being the 5
Urban Sanitary Authority for that City ;—

And to all others whom it may concern.

53 & 54 Vict.
c. 70.

WHEREAS it is enacted by Section 4 of the Housing of the Working Classes Act, 1890 (herein-after referred to as "the Act"), that where an official representation for the purposes of Part I. of the Act is made, in accordance with the provisions of the Act, to the Local Authority that, within a certain area in the District of such Authority, either— 10

- (a) any houses, courts, or alleys are unfit for human habitation, or
- (b) the narrowness, closeness, and bad arrangement, or the bad condition of the streets and houses or groups of houses within such area, or the want of light, air, ventilation, or proper conveniences, or any other sanitary defects, or one or more of such causes, are dangerous or injurious to the health of the inhabitants either of the buildings in the said area or of the neighbouring buildings, 15

and that the evils connected with such houses, courts, or alleys, and the sanitary defects in such area, cannot be effectually remedied, otherwise than by an improvement scheme for the re-arrangement and re-construction of the streets and houses within such area, or of some of such streets or houses, the Local Authority shall take such representation into their consideration ; and if satisfied of the truth thereof, and of the sufficiency of their resources, shall pass a resolution to the effect that such area is an unhealthy area, and that an improvement scheme ought to be made in respect of such area, and, after passing such resolution, shall forthwith proceed to make a scheme for the improvement of such area ; 20 25

And whereas the City of Sheffield is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council, are the Urban Sanitary Authority and the Local Authority under the Act, and are herein-after referred to as "the Local Authority" ; 30

And whereas an official representation for the purposes of Part I. of the Act has been made to the Local Authority, in accordance with the provisions of the Act, that within the area in the District of the Authority bounded by Lee Croft, Campo Lane, Townhead Street, Tenter Street, and Silver Street Head are houses, courts, and alleys which, owing to their narrowness, closeness, and bad arrangement, and the want of sufficient light, air, and ventilation, and of proper drainage and conveniences are dangerous or injurious to the health of the inhabitants of the buildings in the said area, and that the evils connected with such houses, courts, or alleys and the sanitary defects in such area cannot be effectually remedied otherwise than by an improvement scheme for the re-arrangement and re-construction of some or all of such streets or houses ; 35 40

And whereas the Local Authority, having taken such representation into their consideration, and being satisfied of the truth thereof, and of the sufficiency of their resources, have passed a resolution that the area described in the said official representation is an unhealthy area, and that an improvement scheme ought to be made in respect of such area ;

A.D. 1894.

*Sheffield
Order.*

And whereas the Local Authority, after passing such resolution as aforesaid, made a Scheme (herein-after referred to as "the Scheme") for the improvement of the said area, and for the purpose of making the Scheme efficient for sanitary purposes, have included in the Scheme certain neighbouring lands therein described ;

And whereas the Scheme was accompanied by maps, and by particulars and estimates, which Scheme and estimates are as follow :—

" HOUSING OF THE WORKING CLASSES ACT, 1890.

15 " IMPROVEMENT SCHEME of the MAYOR, ALDERMEN, and CITIZENS of the CITY OF
" SHEFFIELD, being the Sanitary Authority for the Urban Sanitary District of
" the said City, in respect of the area bounded by Lee Croft, Campo Lane,
" Townhead Street, Tenter Street, and Silver Street Head, as shown on the
" Plan signed by the Chairman of the Health Committee.

20 " 1. The lands, dwelling-houses, and premises within the limits of the said area shall
" be taken and purchased compulsorily under the provisions of the said Act in that
" behalf.

25 " 2. It is necessary for making this Scheme efficient for sanitary purposes, and to
" provide for widening the existing approaches to the unhealthy area, and for opening
" out the same for the purposes of ventilation and health, that three additional plots of
" land should also be taken and purchased compulsorily, under the provisions of the
" said Act in that behalf, namely, one plot containing 1,095 square yards, situate in
" Silver Street Head between Silver Street and Westbar Green ; another plot con-
" taining 766 square yards, situate in Westbar Green between Queen Street and
" Silver Street Head ; and a third plot containing 339 square yards, situate at the
30 " junction of Campo Lane and Lee Croft. Each of such plots is shown on the plan
" herein-before referred to.

35 " 3. That all the dwelling-houses, buildings, and premises within the limits of the
" said area, and also all the dwelling-houses, buildings, and premises standing on the
" said three plots of land above referred to, shall be pulled down and the sites thereof
" cleared.

" 4. That the whole of the said area, including the three plots of land herein-before
" described, be utilised in part for laying out improved streets and approaches, and in
" part for the erection of dwelling-houses for the working classes, with suitable
" curtilages, air spaces, and conveniences.

A.D. 1894.

" ESTIMATE OF EXPENSE.

Sheffield
Order.

	£	s.	d.
" I estimate the value of the land, buildings, and interests based upon the fair market value at the time of my valuation being made, due regard being had to the nature and condition of the property, and the probable duration of the buildings at the sum of	72,424	0	0
" Add—			
" For the alterations to and formation of streets abutting thereon	8,498	0	0
	80,922	0	0
" Deduct—			
" Estimated value of surplus land	21,250	0	0
" Net cost of the whole Scheme	59,672	0	0

" CHARLES F. WIKE,
" City Surveyor. 15

" BATTY LANGLEY,
" Mayor.

" Sheffield, 25th October, 1893."

And whereas the Local Authority have, after the publication of advertisements and service of notices in accordance with the Act, presented a petition, accompanied by a copy of the Scheme, to the Local Government Board praying that an Order may be made confirming the Scheme; and have deposited with that Board duplicates of the maps which accompanied the Scheme, which maps are herein-after referred to as "the deposited maps";

And whereas on consideration of the petition, and on proof of the publication of the proper advertisements, and of the service of the notices as aforesaid, the Local Government Board directed local inquiry to be held, in accordance with and for the purposes mentioned in the Act, and such inquiry has been held and report has been made of the result of such inquiry to the Local Government Board in accordance with Section 19 of the Act:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Act, do, subject to the provisions of the Act, and subject as herein-after provided, hereby—

Art. I. Confirm the Scheme subject to the modifications herein-after mentioned. 35

Art. II. Declare that the limits of the area comprised in the Scheme are the lands coloured pink, and the lands numbered 1 to 6 and 111 to 142, all inclusive, on the deposited maps.

Art. III. Authorise the Scheme to be carried into execution, subject to the following conditions and modifications; viz.,— 40

- (1.) The area coloured pink on the deposited maps shall be taken to represent the whole of the unhealthy area.

A.D. 1894.

*Sheffield
Order.*

- (2.) All the lands within the limits of the area comprised in the Scheme may be taken compulsorily.
- 5 (3.) The Scheme, so far as it relates to the laying out of convenient streets and approaches, and other matters not provided for in this Order, shall be carried out in such manner as may be approved by Us.
- (4.) Suitable dwellings, according to plans to be approved by Us, shall be erected within the area comprised in the Scheme, or upon sites to be approved by Us, for the accommodation of seven hundred persons of the working class displaced by the Scheme.
- 10 (5.) The Local Authority shall not, without Our sanction, sell or let any of the lands within the area comprised in the Scheme for any purpose other than the erection of suitable dwellings for the accommodation of persons of the working class.
- 15 (6.)—(a.) The Local Authority may demolish the buildings on one-third of the lands within the limits of the area comprised in the Scheme.
- (b.) No more buildings on the lands within the limits of the area comprised in the Scheme shall be demolished until dwellings suitable for the accommodation of not less than two hundred and fifty persons of the working class shall have been erected either on the lands so cleared, or on a site to be approved by Us, and shall have been completed fit for occupation, but when that accommodation has been provided, the Local Authority may demolish the buildings on one-half of the remainder of the lands within the limits of the area comprised in the Scheme.
- 20 (c.) No more buildings on the lands within the limits of the area comprised in the Scheme shall be demolished until dwellings suitable for the accommodation of another two hundred and fifty persons of the working class shall have been completed fit for occupation, but when that accommodation has been provided, the Local Authority may demolish the remaining buildings on the lands within the limits of the area comprised in the Scheme.
- 25 (d.) The Local Authority shall, within twelve months after the whole of the buildings on the lands within the limits of the area comprised in the Scheme shall have been demolished, cause to be provided on such lands, or on such other lands as may be approved by Us, dwellings suitable for the accommodation of such number of the persons referred to in subdivision (4) of this Article as shall not then have been provided for.
- 30 (e.) All lands on which any dwellings shall have been erected or provided in pursuance of this Scheme shall, for a period of twenty-five years from the passing of the Act of Parliament confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this provision.
- 35 (7.) The Local Government Board may modify the terms of subdivision (6) (d) of this Article in such manner as may seem to them to be necessary or desirable.
- 40

Art. IV. Approve of the Local Authority themselves undertaking the erection of the dwellings required by Article III. of this Order.

45

A.D. 1894. Art. V. Approve of the Local Authority borrowing, with Our sanction, the amount of any additional expenditure beyond that included in the estimate accompanying the Scheme which may be caused in consequence of the Local Authority themselves undertaking the erection of such dwellings as aforesaid.

*Sheffield
Order.*

Art. VI. This Order may be cited as the Sheffield (Housing of Working Classes) Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Ninth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

10

*Sunderland
Order.*

BOROUGH OF SUNDERLAND.

Provisional Order for confirming an Improvement Scheme under Part I. of the Housing of the Working Classes Act, 1890.

To the Mayor, Aldermen, and Burgesses of the Borough of Sunderland,
being the Urban Sanitary Authority for that Borough ;—

15

And to all others whom it may concern.

53 & 54 Vict.
c. 70

WHEREAS it is enacted by Section 4 of the Housing of the Working Classes Act, 1890 (herein-after referred to as "the Act"), that where an official representation for the purposes of Part I. of the Act is made, in accordance with the provisions of the Act, to the Local Authority that, within a certain area in the District of such Authority, either—

20

- (a) any houses, courts, or alleys are unfit for human habitation, or
- b) the narrowness, closeness, and bad arrangement, or the bad condition of the streets and houses or groups of houses within such area, or the want of light, air, ventilation, or proper conveniences, or any other sanitary defects, or one or more of such causes, are dangerous or injurious to the health of the inhabitants either of the buildings in the said area, or of the neighbouring buildings,

25

and that the evils connected with such houses, courts, or alleys, and the sanitary defects in such area cannot be effectually remedied, otherwise than by an improvement scheme for the re-arrangement and re-construction of the streets and houses within such area, or of some of such streets or houses, the Local Authority shall take such representation into their consideration ; and if satisfied of the truth thereof, and of the sufficiency of their resources, shall pass a resolution to the effect that such area is an unhealthy area, and that an improvement scheme ought to be made in respect of such area, and, after passing such resolution, shall forthwith proceed to make a scheme for the improvement of such area ;

30

35

And whereas the Borough of Sunderland is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority and the Local Authority under the Act, and are herein-after referred to as "the Local Authority" ;

40

And whereas an official representation for the purposes of Part I. of the Act has been made to the Local Authority, in accordance with the provisions of the Act, and in the following terms :—

A.D. 1894.

—
Sunderland
Order.

“ HOUSING OF THE WORKING CLASSES ACT, 1890.

- 5 “ To the Mayor, Aldermen, and Burgesses of the Borough of Sunderland, being
“ the Urban Sanitary Authority and the Local Authority of such Borough; —
- “ I, the undersigned, John Cundell Wood, being the Medical Officer of Health for
“ the said Borough, report that I have inspected the under-mentioned houses in
“ the following streets, courts, and alleys :—
- 10 “ Nos. 1, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 15, Hat Case.
“ Nos. 31 and 32, Stafford Street.
“ Nos. 1, 2, 3, 4, 7, 8, 11, and 12, Bull Open.
“ Nos. 1, 2, and 3, South Alley.
“ Nos. 3, 4, and 5, Monkey’s Yard.
- 20 “ Nos. 96 and 97, High Street East.
“ The four houses forming Lammas Yard, High Street East.
“ Nos. 1, 10, 11, 12, and 13, Fitter’s Row.
“ No. 10, Back Fitter’s Row.
“ Nos. 1 and 2, Dolly’s Open.
- 15 “ Nos. 1, 3, 3½, 4, 4½, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, and 50, Silver Street.
“ No. 10, Burleigh Street.
- “ These houses, together with a portion of a foundry in Kerr’s Court and Warren
“ Street, a coal depot in the Hat Case, and a coal depot and stable in Fitter’s
“ Row (which I have also inspected) constitute a block of property within an
- 25 “ area in your district, and are more particularly shewn by the plan, dated this
“ day, hereunto annexed, marked ‘ A,’ and signed by me.
- “ The whole of the said houses, except No. 7, Bull Open, are unfit for human
“ habitation, and, owing to the narrowness, closeness, and bad arrangement of the
“ streets, courts, alleys, houses, and buildings, or groups of houses and buildings
- 30 “ within such area, the bad condition of the whole of the said houses, except
“ No. 7, Bull Open, want of light, air, ventilation, and proper conveniences, and
“ other sanitary defects, or one or more of such causes, the whole of the houses
“ and buildings within such area are dangerous or injurious to the health of the
“ inhabitants of the said houses and buildings in the said area, and of the
- 35 “ neighbouring houses and buildings. I further report that the evils connected
“ with such houses, buildings, streets, courts, and alleys, and the sanitary defects,
“ within the said area, cannot be effectually remedied otherwise than by an
“ improvement scheme for the re-arrangement and re-construction of the streets,
“ courts, alleys, houses, and buildings within such area, or of some of such streets,
- 40 “ courts, alleys, houses, or buildings.

“ Dated this 31st day of August, 1893.

“ JNO. C. WOOD,

“ Medical Officer of Health for the Borough of Sunderland.”

And whereas the Local Authority, having taken such official representation
45 into their consideration, and being satisfied of the truth thereof, and of the

A.D. 1894.
 —
Sunderland
Order.

sufficiency of their resources, have passed a resolution that the area described in the said official representation is an unhealthy area, and that an improvement scheme ought to be made in respect of such area ;

And whereas the Local Authority, after passing such resolution as aforesaid, made a Scheme (herein-after referred to as "the Scheme") for the improvement 5 of the said area, which Scheme was accompanied by a map (therein referred to as "the plan annexed hereto"), and by particulars, and estimates, which Scheme and estimates are as follow :—

" HOUSING OF THE WORKING CLASSES ACT, 1890.

" IMPROVEMENT SCHEME of the Mayor, Aldermen, and Burgesses of the County 10
 " Borough of Sunderland, being the Sanitary Authority for the Urban Sanitary
 " District of the County Borough of Sunderland, in respect of the area delineated
 " by, and being within the dotted red line upon the plan annexed hereto, made in
 " pursuance of the resolution of the Council of the said County Borough passed
 " at a meeting held on the 6th day of September, 1893. 15

" 1. The land, dwelling-houses, and buildings within the limits of the said area
 " shall be taken and purchased compulsorily under the provisions of the said Act in
 " that behalf.

" 2. All the dwelling-houses and buildings within the limits of the said area shall be
 " pulled down and the sites thereof cleared. 20

" 3. The whole of the said area shown upon the said plan shall be utilized in part
 " for the laying out of convenient streets and approaches, and in other part for the
 " erection of dwelling-houses for the working classes."

And whereas the expense of the Scheme, including the purchase of all necessary property and erection of buildings, is estimated by the Borough Engineer at the 25 sum of twenty-one thousand pounds ;

And whereas the Local Authority have, after the publication of advertisements and service of notices in accordance with the Act, presented a petition, accompanied by a copy of the Scheme, to the Local Government Board praying that an Order may be made confirming the Scheme ; and have deposited with 30 that Board duplicates of the plan which accompanied the Scheme, which plan is herein-after referred to as "the deposited map," and is a copy of the plan referred to in the official representation ;

And whereas on consideration of the petition, and on proof of the publication of the proper advertisements, and of the service of the notices as aforesaid, the 35 Local Government Board directed local inquiry to be held, in accordance with and for the purposes mentioned in the Act, and such inquiry has been held and report has been made of the result of such inquiry to the Local Government Board in accordance with Section 19 of the Act :

Now therefore, We, the Local Government Board, in pursuance of the powers 40 given to Us by the Act, do, subject to the provisions of the Act, and subject as herein-after provided, hereby—

Art. I. Confirm the Scheme subject to the modifications herein-after mentioned.

Art. II. Declare that the limits of the area comprised in the Scheme are the lands within the dotted red lines on the deposited map.

A.D. 1894.

Sunderland
Order.

Art. III. Authorise the Scheme to be carried into execution, subject to the following conditions and modifications; viz.,—

- 5 (1.) The lands within the dotted red lines on the deposited map shall be taken to represent the whole of the unhealthy area.
- (2.) All the lands within the limits of the area comprised in the Scheme may be taken compulsorily.
- 10 (3.) The Scheme, so far as it relates to the laying out of convenient streets and approaches, and other matters not provided for in this Order, shall be carried out in such manner as may be approved by Us.
- (4.) Suitable dwellings, according to plans to be approved by Us, shall be erected within the area comprised in the Scheme for the accommodation of four hundred and eighty persons of the working class.
- 15 (5.) The Local Authority shall not, without Our sanction, sell or let any of the lands within the area comprised in the Scheme for any purpose other than the erection of suitable dwellings for the accommodation of persons of the working class.
- 20 (6.)—(a.) The Local Authority may demolish the buildings on one-half of the lands within the limits of the area comprised in the Scheme.
- (b.) No more buildings on the lands within the limits of the area comprised in the Scheme shall be demolished until dwellings suitable for the accommodation of not less than two hundred and forty persons of the working class shall have been erected on the lands so cleared and shall have been completed
- 25 fit for occupation, but when that accommodation has been provided, the Local Authority may demolish the remainder of the buildings on the lands within the limits of the area comprised in the Scheme.
- (c.) The Local Authority shall, within twelve months after the whole of the buildings on the lands within the limits of the area comprised in the Scheme
- 30 shall have been demolished, cause to be provided on such lands dwellings suitable for the accommodation of so many of the four hundred and eighty persons of the working class as have not already had accommodation provided for them by means of dwellings erected in pursuance of subdivision (6) (b) of this Article.
- 35 (d.) All lands on which any dwellings shall have been erected or provided in pursuance of the Scheme shall, for a period of twenty-five years from the passing of the Act of Parliament confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this provision.
- 40 Art. IV. Approve of the Local Authority themselves undertaking the erection of the dwellings required by Article III. of this Order.

Art. V. Approve of the Local Authority borrowing, with Our sanction, the amount of any additional expenditure beyond that included in the estimate accompanying the Scheme which may be caused in consequence of the Local

45 Authority themselves undertaking the erection of such dwellings as aforesaid.

A.D. 1894.
Sunderland
Order.

Art. VI. This Order may be cited as the Sunderland (Housing of Working Classes) Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Eighth day of May, One thousand eight hundred and ninety-four.

(L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

5

Wigan
Order

BOROUGH OF WIGAN.

*Provisional Order for confirming certain Improvement Schemes
under Part I. of the Housing of the Working Classes Act,
1890.*

10

To the Mayor, Aldermen, and Burgesses of the Borough of Wigan, being
the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

53 & 54 Vict.
c. 70.

WHEREAS it is enacted by Section 4 of the Housing of the Working Classes
Act, 1890 (herein-after referred to as "the Act"), that where an official repre-
sentation for the purposes of Part I. of the Act is made, in accordance with the
provisions of the Act, to the Local Authority that, within a certain area in the
District of such Authority, either—

15

(a) any houses, courts, or alleys are unfit for human habitation, or

(b) the narrowness, closeness, and bad arrangement, or the bad condition of
the streets and houses or groups of houses within such area, or the want of
light, air, ventilation, or proper conveniences, or any other sanitary defects,
or one or more of such causes, are dangerous or injurious to the health of
the inhabitants either of the buildings in the said area or of the neighbouring
buildings,

25

and that the evils connected with such houses, courts, or alleys, and the sanitary
defects in such area, cannot be effectually remedied otherwise than by an im-
provement scheme for the re-arrangement and re-construction of the streets and
houses within such area, or of some of such streets or houses, the Local Authority
shall take such representation into their consideration ; and if satisfied of the
truth thereof, and of the sufficiency of their resources, shall pass a resolution to
the effect that such area is an unhealthy area, and that an improvement scheme
ought to be made in respect of such area, and, after passing such resolution, shall
forthwith proceed to make a scheme for the improvement of such area ;

30

And whereas the Borough of Wigan is an Urban Sanitary District, of which
the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban
Sanitary Authority and the Local Authority under the Act, and are herein-after
referred to as "the Local Authority" ;

35

And whereas official representations for the purposes of Part I. of the Act have
been made to the Local Authority, in accordance with the provisions of the Act,

40

that as regards each of the following areas in the District of the Local Authority, viz.,—

A.D. 1894.

Wigan
Order.

- 5 (1.) The area bounded by Vauxhall Road, Belvoir Street, Scholefield Lane, and Scholes, but exclusive of Nos. 25, 23, 21, 19, 17, 15, 13, 11, 9, 7, 5, 3, Scholefield Lane, and Nos. 165, 163, 161, 159, 157, 155, 153, 151, 149, 147, 145, 141, and 137, Scholes ; and
- 10 (2.) The area comprising Bank's Yard, Worthington's Row, Crispin's Court, Elbow Lane, Walthew's Yard, all off Millgate, Park's Yard, off the Wiend, and Cross Keys Yard and Queen's Head Yard, off the Market Place,—
 - 10 (a.) The houses, courts, and alleys are unfit for human habitation ;
 - 15 (b.) The narrowness, closeness, and bad arrangement, or the bad condition of the streets and houses or groups of houses within such areas, and the want of air, ventilation, and proper conveniences, and other sanitary defects are dangerous and injurious to the health of the inhabitants of the buildings in the said areas ;
- and that the evils connected with such houses, courts, or alleys, and the sanitary defects in such areas, cannot be effectually remedied otherwise than by an improvement scheme for the re-arrangement and reconstruction of the streets and houses within such areas ;
- 20 And whereas the Local Authority having taken such representations into consideration, and being satisfied of the truth thereof and of the sufficiency of their resources, have passed resolutions that the areas described in the said official representations are unhealthy areas, and that improvement schemes ought to be made in respect of such areas ;
- 25 And whereas the Local Authority, after passing such resolutions as aforesaid, made two Schemes (herein-after referred to as "Scheme 1" and "Scheme 2," and together as "the Schemes") for the improvement of the said areas, but, for the purpose of making Scheme 2 efficient for sanitary purposes, have included in that Scheme certain neighbouring lands ;
- 30 And whereas the Schemes were accompanied by maps, particulars, and estimates, which Schemes and estimates are as follows :—

" SCHEME 1.

- 35 " The Scheme proposes the demolition of the existing Buildings on the unhealthy area and the laying out of the Land in building plots of sufficient area. This will involve the construction of three new Streets, 36 feet wide, intersecting the plot in the direction from the north-east to the south-west, and parallel to Scholes, with passages 12 feet wide as secondary means of access.
- 40 " Three of these passages will intersect the new streets at right angles at a distance of 45 feet from Vauxhall Road. Three other passages will be parallel to the new streets and divide the intervening land into equal areas of 650 superficial square yards. The remaining two passages will intersect two of the new streets at right angles at a distance of 45 feet from Scholefield Lane.
- 45 " The whole area will thus be divided into convenient building plots, varying in area from 500 to 975 square yards, or an average area of 618 square yards, and suitable for the erection of sanitary dwellings.

A.D. 1894.

*Wigan
Order.*

" Each of the new dwelling-houses will be provided with a slopstone, the waste pipe from which will be disconnected from the drain or sewer, with a pail or waste water closet, and will in all other respects comply with the provisions of the Bye-laws in force in the Borough.

" ESTIMATE OF EXPENSE.

5

" I estimate the expense of the Improvement Scheme under the above Act according to the petition and deposited plans, including the purchase of all property included in the unhealthy area and also of the necessary land in the Scholes, Wigan, for the erection of dwellings for the surplus displaced population; and erection of buildings on the said unhealthy area and on the land at Warrington Lane and John Street, for the displaced population, at the sum of £27,076., made up as follows:—

	£	
" Estimated cost of lands and premises included in the unhealthy area	9,300	
" Estimated cost of laying out, sewerage, paving, and flagging proposed new streets and passages	1,216	15
" Estimated cost of erection of 98 new sanitary buildings on the unhealthy area	11,760	
" Estimated cost of land for erection of new buildings for surplus displaced population at	1,600	20
" Estimated cost of erection of 25 new buildings in Warrington Lane and John Street for displaced surplus population	3,000	
" Estimated cost of making and paving of courts and streets	200	
" Total	<u>27,076</u>	

" WM. BOLTON,
Borough Engineer."

25

" Wigan, September 6th, 1893.

And whereas it is stated in the particulars accompanying Scheme 1 that all the lands included in the area of that Scheme are intended to be taken compulsorily.

" SCHEME 2.

30

" The Scheme proposes the demolition of the buildings in the unhealthy area and the construction of streets for the development of the land as follows:—

" 1. A street of 42 feet width intersecting the area from north-west to south-east and forming junctures with the Market Place and Rodney Street.

" 2 & 3. Streets of 36 feet width at right angles from Street No. 1, running thence in a North-Easterly direction to and forming a junction with Millgate. 35

" 4 & 5. Communications from Street No. 1 to King Street.

" As the area is in the heart of the town it is estimated that the land when developed will be much too valuable for the site of Artizans Dwellings, and it is expected that it will find a ready sale for the erection of business premises, especially as it is likely to take the place in a large measure of King Street, which is very narrow, having regard to the traffic it has to accommodate. 40

A.D. 1894.

*Wigan
Order.*

" Subject to the approval of the Local Government Board, it is not proposed to
 " provide for the accommodation (either within or without the limits of the area) of
 " persons of the working classes displaced in the area, as building operations are in
 " full progress on School Common (500 yards distance) and in Darlington Street East
 5 " (700 yards distance).

" The Scheme includes the following lands adjacent to lands included in the official
 " representation :—Barrack Yard, part of Rowbottom Square, part of Bretherton's
 " Row, and Gaskell's Yard, No. 1 and 3, Market Place, and part of the Manchester
 " and County Bank in the Market Place, a portion of the Royal Court Theatre, the
 10 " Yard now in the occupation of Alfred Millington, off Library Street, and Nos. 43,
 " 45, 47, 63, 65, 67, and 69, Millgate.

" These premises are necessary for making the Scheme efficient for sanitary
 " purposes.

" ESTIMATE OF EXPENSE.

15 " I estimate the expense of the Improvement Scheme under the above Act according
 " to the petition and deposited plans, including the purchase of all property in the
 " unhealthy area, at the sum of £32,425., made up as follows :—

		£
	" Estimated cost of lands and premises included in the unhealthy	
20	" area - - - - -	25,750
	" Estimated cost of laying out, sewerage, paving, and flagging	
	" proposed New Street No. 1, including £2,500. for re-arranging	
	" and making good the Manchester and County Bank -	5,000
	" Estimated cost of laying out, sewerage, paving, and flagging	
25	" proposed New Streets Nos. 2 and 3 - - - -	1,430
	" Estimated cost of laying out, sewerage, paving, and flagging	
	" proposed New Streets Nos. 4 and 5 - - - -	245
	" Total - - - - -	<u>32,425</u>

30 " Wigan, October 30th, 1893. " WM. BOLTON,
 Borough Engineer."

And whereas it is stated in the particulars accompanying Scheme 2 that all
 the lands delineated on the deposited map of the area included in Scheme 2 and
 thereon surrounded by a red verge line are proposed to be taken compulsorily,
 except those numbered 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242,
 35 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258,
 259, and 260 on the said map ;

And whereas the Local Authority have, after the publication of advertisements
 and service of notices in accordance with the Act, presented petitions, accompanied
 by copies of the Schemes, to the Local Government Board praying that an Order
 40 may be made confirming the Schemes ; and have deposited with that Board
 duplicates of the maps which accompanied the Schemes, which maps are
 herein-after referred to as " the deposited maps " ;

A.D. 1894.

*Wigan
Order.*

And whereas on consideration of the petitions, and on proof of the publication of the proper advertisements, and of the service of the notices as aforesaid, the Local Government Board directed local inquiry to be held, in accordance with and for the purposes mentioned in the Act, and such inquiry has been held and report has been made of the result of such inquiry to the Local Government Board in accordance with Section 19 of the Act : 5

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Act, do, subject to the provisions of the Act, and subject as herein-after provided, hereby—

Art. I. Confirm the Schemes subject to the modifications herein-after mentioned. 10

Art. II. Declare that the limits of the areas comprised in the Schemes are the lands included within the red lines on the deposited maps.

Art. III. Authorise the Schemes to be carried into execution, subject to the following conditions and modifications; viz.,— 15

- (1.) The areas edged red on the deposited maps, except the lands included in Scheme 2 for the purpose of making that Scheme efficient for sanitary purposes, shall be taken to represent the whole of the unhealthy areas.
- (2.) All the lands within the limits of the areas comprised in the Schemes, except the lands numbered 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260 on the deposited map of Scheme 2, may be taken compulsorily. 20
- (3.) The Schemes, so far as they relate to the laying out of convenient streets and approaches, and other matters not provided for in this Order, shall be carried out in such manner as may be approved by Us. 25
- (4.) Suitable dwellings, according to plans to be approved by Us, shall be erected within the areas comprised in the Schemes, or upon sites to be approved by Us, for the accommodation of six hundred and fifty persons of the working class displaced by Scheme 1, and for the accommodation of four hundred persons of the working class displaced by Scheme 2. 30
- (5.) The Local Authority shall not, without Our sanction, sell or let any of the lands within the areas comprised in the Schemes for any purpose other than the erection of suitable dwellings for the accommodation of persons of the working class. 35
- (6.)—(a.) The Local Authority may demolish the buildings on one-half of the lands within the area comprised in each of the Schemes.
- (b.) No more buildings on the lands within the area comprised in Scheme 1 shall be demolished until dwellings suitable for the accommodation of not less than three hundred and fifty persons of the working class shall have been erected either on the lands so cleared, or on a site to be approved by Us, and shall have been completed fit for occupation, but when that accommodation has been provided, the Local Authority may demolish the remainder of the buildings on the lands within the area comprised in that Scheme. 40 45

A.D. 1894.

*Wigan
Order.*

- 5 (c.) The Local Authority shall, within twelve months after the whole of the buildings on the lands within the area comprised in Scheme 1 shall have been demolished, cause to be provided on such lands, or on such other lands as may be approved by Us, dwellings suitable for the accommodation of a number of persons of the working class which shall be not less than the difference between the number for which accommodation is to be provided in pursuance of subdivision (4) and the number for which dwellings shall have been completed fit for occupation in pursuance of subdivision (6) (b).
- 10 (d.) No more buildings on the lands within the area comprised in Scheme 2 shall be demolished until dwellings suitable for the accommodation of not less than two hundred and fifty persons of the working class shall have been erected on a site to be approved by Us, and shall have been completed fit for occupation, but when that accommodation has been provided, the Local Authority may demolish the remainder of the buildings on the lands within
- 15 the area comprised in Scheme 2.
- (e.) The Local Authority shall, within twelve months after the whole of the buildings on the lands within the area comprised in Scheme 2 shall have been demolished, cause to be provided on such lands as may be approved by Us, dwellings suitable for the accommodation of a number of persons of the
- 20 working class which shall be not less than the difference between the number for which accommodation is to be provided in pursuance of subdivision (4) and the number for which dwellings shall have been completed fit for occupation in pursuance of subdivision (6) (d).
- 25 (f.) All lands on which any dwellings shall have been erected or provided in pursuance of the Schemes shall, for a period of twenty-five years from the passing of the Act of Parliament confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this provision.

30 Art. IV. Approve of the Local Authority themselves undertaking the erection of the dwellings required by Article III. of this Order.

Art. V. Approve of the Local Authority borrowing, with Our sanction, the amount of any additional expenditure beyond that included in the estimates accompanying the Schemes which may be caused in consequence of the Local Authority themselves undertaking the erection of such dwellings as aforesaid.

35 Art. VI. This Order may be cited as the Wigan (Housing of Working Classes) Order, 1894.

Given under the Seal of Office of the Local Government Board, this
Eighth day of May, One thousand eight hundred and ninety-four.

40 (L.S.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Orders (Housing of Working Classes) (No. 2).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board under the Housing of the Working Classes Act, 1890, relating to the Urban Sanitary Districts of Sheffield, Sunderland, and Wigan.

*(Prepared and brought in by
Sir Walter Foster and Mr. G. Shaw-Lefevre.)*

*Ordered, by The House of Commons, to be Printed,
10 May 1894.*

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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90, West Nile Street, Glasgow; or
HODGES, FIGGIS & Co., LIMITED, 104, Grafton Street, Dublin.

[*Price 2d.*]

[Bill 227.]

A
B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Housing of the
Working Classes Act, 1890, relating to the Town of
Fermoy.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto,
under the provisions of the Housing of the Working Classes Act, 53 & 54 Vict.
1890 : c. 70.

5 And whereas it is requisite that the said Order should be confirmed
by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
10 by the authority of the same, as follows :

1. The Order set out in the schedule hereto is hereby confirmed, Order in
and all the provisions thereof shall have full validity and force. schedule
confirmed.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 1) Act, 1894.

A.D. 1894.

Fermoy.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF FERMOY.

PROVISIONAL ORDER.

17 & 18 Vict. c. 103. WHEREAS the town commissioners of the town of Fermoy in the county 5
Cork, under the Towns Improvement (Ireland) Act, 1854 (herein-after called
the sanitary authority), are the urban sanitary authority of the district
consisting of the said town, under the Public Health (Ireland) Act, 1878 ;

41 & 42 Vict. c. 52. And whereas Part III. of the Housing of the Working Classes Act, 1890, 10
53 & 54 Vict. c. 70. has been adopted in the said district, and the sanitary authority have presented
a petition to the Local Government Board for Ireland (herein-after called the
Local Government Board), praying that they may be empowered to put in
force the powers of the Lands Clauses Acts with respect to the purchase and
taking of land otherwise than by agreement with reference to certain lands and
premises required for the purpose of carrying the said part of the said Act into 15
execution ;

And whereas the sanitary authority have deposited at the office of the Local
Government Board in Dublin plans and a book of reference (herein-after called
the deposited plans and book of reference) showing the said lands and premises
required for the said purpose ; 20

And whereas all necessary advertisements and notices having been previously
duly published, served, and given, the Local Government Board have caused a
local inquiry to be held as to the propriety of assenting to the prayer of the said
petition, and it appears to the Local Government Board to be proper to assent
thereto : 25

It is ordered by the Local Government Board as follows :

Compulsory
power to take
lands and
premises.

1. From and after the confirmation of this Order by Parliament the sanitary
authority shall be empowered to put in force the powers of the Lands
Clauses Acts with respect to the purchase and taking of land otherwise
than by agreement with reference to the lands and premises described 30
in the deposited plans and book of reference.

2. The sanitary authority shall not, under the powers of this Order, purchase or acquire ten or more houses which, on the fifteenth day of December last, were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied :

A.D. 1894.

Fermoy.
 Restriction of
 power to take
 houses of
 labouring
 class.

For the purposes of this clause, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

3. The costs and expenses of and incident to the application for, making, and confirmation of this Order, shall be paid by the sanitary authority by means of the rate leviable by them under the sixtieth section of the Towns Improvement (Ireland) Act, 1854.

Costs of Order.

17 & 18 Vict.
 c. 103.

4. The compulsory powers of taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Duration of
 Order.

5. This Order may be cited for all purposes as the Fermoy Provisional Order, 1894.

Short title of
 Order.

Given under our hands and seal of office this third day of January, in the year of our Lord one thousand eight hundred and ninety-four.

(Signed) GEORGE MORRIS.
 (") F. MACCABE.
 (") H. A. ROBINSON.

Local Government (Ireland) Provisional Order (No. 1).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Housing of the
Working Classes Act, 1890, relating
to the Town of Fermoy.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
14 March 1894.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE and SPOTTISWOODE, East Harding Street, Fleet Street, E.C.,
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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.

[*Price ½d.*]

[Bill 5.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A D. 1894.
ment Board for Ireland under the Public Health (Ireland)
Act, 1878, relating to the Town of Belturbet.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto, under
the provisions of the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :

10 **1.** The Order set out in the schedule hereto is hereby confirmed,
and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board
(Ireland) Provisional Order Confirmation (No. 2) Act, 1894.

Short title.

A.D. 1894.

Belturbet.SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF BELTURBET.

PROVISIONAL ORDER.

17 & 18 Vict.
c. 103.

WHEREAS there are in the town of Belturbet, in the county Cavan, Town 5
Commissioners under the Towns Improvement (Ireland) Act, 1854 :

And whereas the population of the said town, according to the last
parliamentary census, is less than six thousand, and the said town is situated
within and forms part of the rural sanitary district consisting of the Cavan
poor law union :

41 & 42 Vict.
c. 52.

And whereas the said Town Commissioners have presented a petition to the 10
Local Government Board for Ireland (herein-after called the Local Govern-
ment Board), in pursuance of the Public Health (Ireland) Act, 1878, section
seven, praying that the said town may be separated from the said rural sanitary
district and constituted an urban sanitary district :

And whereas all advertisements and notices required by the said Act having 15
been previously duly published, served, and given, the Local Government
Board have caused a local inquiry to be made as to the propriety of assenting
to the prayer of the said petition, and it appears to the Local Government
Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :— 20

Constitution of
urban sanitary
district.41 & 42 Vict.
c. 52.
42 & 43 Vict.
c. 57.
47 & 48 Vict.
c. 77.Costs and
expenses of
Order.

1. From and after the confirmation of this Order by Parliament, the town 25
of Belturbet shall be separated from the rural sanitary district consisting
of the Cavan poor law union, and shall be constituted an urban sanitary
district, subject to the provisions of the Public Health (Ireland) Act, 1878 ; the Public Health (Ireland) Amendment Act, 1879 ; the Public
Health (Ireland) Act, 1884 ; and of all other Acts affecting urban
sanitary districts in Ireland.
2. All costs charges and expenses of and incidental to the application 30
for obtaining and confirming this Order shall be paid by the Town
Commissioners, as the urban sanitary authority of the urban sanitary
district constituted by this Order.

3. This Order may be cited and referred to for all purposes as the A.D. 1894.
Belturbet Town Provisional Order, 1894.

Given under our hands and seal of office, this third day of January, in Belturbet.
the year of our Lord one thousand eight hundred and ninety-four. Short title of
Order.

5

(L.S.)

(Signed)

GEORGE MORRIS,
F. MACCABE,
H. A. ROBINSON.

Local Government
(Ireland) Provisional
Order (No. 2).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Town of Belturbet.

(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
14 March 1894.

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56, West Nile Street, Glasgów, or
HODGINS, FRIGGS & CO., LIMITED, 109, Grafton Street, Dublin.

[*Price ½d.*]

[Bill 6.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Rural Sanitary
District of Waterford.

WHEREAS the Local Government Board for Ireland have
made the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows :—

10 1. The Order set out in the schedule hereto is hereby confirmed,
and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board
(Ireland) Provisional Order Confirmation (No. 3) Act, 1894.

Short title.

A.D. 1894.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Tramore.

TRAMORE WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Watetford Union (herein- 5
after called the sanitary authority), being the sanitary authority of the
rural sanitary district of Waterford, are about to construct waterworks
for the purpose of providing a supply of water for the town of Tramore
within their sanitary district, and have presented a petition to the Local
Government Board for Ireland (herein-after called the Local Government 10
Board), in pursuance of the provisions of the Public Health (Ireland) Act,
1878, praying that they may be empowered to put in force the powers of
the Lands Clauses Acts with respect to the purchase and taking of land
otherwise than by agreement for the purposes of the said works ;

41 & 42 Vict.
c. 52.

And whereas the Sanitary Authority have deposited at the office of the 15
Local Government Board, in Dublin, plans and a book of reference (herein-
after called the deposited plans and book of reference) showing the lands
and premises required for the said purposes ;

41 & 42 Vict.
c. 52.

And whereas all advertisements and notices required by the Public Health
(Ireland) Act, 1878, having been previously published, served, and given, 20
the Local Government Board have caused a local inquiry to be held as to
the propriety of assenting to the prayer of the said petition, and it appears
to the Local Government Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :—

Compulsory
powers to take
lands and
other premises.

1. From and after the confirmation of this Order by Parliament, the 25
Sanitary Authority shall be empowered to put in force the powers
of the Lands Clauses Acts with respect to the purchase and taking of
land otherwise than by agreement, with reference to the lands, lands
covered with water, water, rights to take and convey water, ease-
ments, and other premises described in the deposited plans and book 30
of reference ; and for the purposes of this Order the word "land" in
the Lands Clauses Acts shall extend to and include the said lands,
lands covered with water, water rights to take and convey water,
easements, and other premises.

2. The costs and expenses of and incidental to the application for, A.D. 1894.
preparing, obtaining, and confirming this Order shall be paid by the Tramore.
sanitary authority, and shall be deemed to be special expenses of the Costs of Order.
sanitary authority incurred in the execution of the Public Health 41 & 42 Vict.
(Ireland) Act, 1878, and shall be chargeable upon the contributory c. 52.
places upon which the expenses of the said waterworks are or shall be
made chargeable under the provisions of the said Act.

3. The compulsory powers of taking lands and other premises given by Duration of
this Order shall not be exercised after the expiration of three years Order.
from the confirmation of this Order.

4. This Order may be cited and referred to for all purposes as the Tramore Short title of
Waterworks Provisional Order, 1894. Order.

Given under our Hands and Seal of Office, this Fifteenth day of
March, in the year of our Lord One thousand eight hundred
and ninety-four.

(L.S.)

(Signed) F. MACCABE
H. A. ROBINSON.

(Ireland) Provisional
Order (No. 3).

A

B I L L

To confirm a Provisional Order made by
the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Rural Sanitary District of Waterford.

*(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)*

*Ordered, by the House of Commons, to be Printed,
21 March 1894.*

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JOHN MENZIES & CO., 12, Hanover Street, Edinburgh, and
30, West Nile Street, Glasgow; or
HODGES, FIGGIS & CO., LIMITED, 109, Grafton Street, Dublin.

[Price ½d.]

[BILL 115.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Urban Sanitary
District of Lisburn.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto, under
the provisions of the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows :—

- 10 1. The Order set out in the schedule hereto is hereby confirmed, Order in
and all the provisions thereof shall have full validity and force. schedule
confirmed.
2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 4) Act, 1894.

A.D. 1894.

Lisburn.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF LISBURN.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Lisburn, elected in 5
 17 & 18 Vict. pursuance of the Towns Improvement (Ireland) Act, 1854 (herein-after called
 c. 103. the sanitary authority), are the urban sanitary authority of the urban sanitary
 district, consisting of the said town, which is situate in the barony of Upper
 Massereene, in the county Antrim, and in the barony of Upper Castlereagh, in
 the county Down :

And whereas the sanitary authority have made an application to the Local
 Government Board for Ireland (herein-after called the Local Government
 41 & 42 Vict. Board), for a Provisional Order in pursuance of the Public Health (Ireland)
 c. 52. Act, 1878, to transfer from the grand juries of the said counties to the sanitary
 authority the jurisdiction, power, and authority with respect to roads, bridges, 15
 footpaths, and public works within the said district vested in the said grand
 juries respectively under any Act :

And whereas all notices and advertisements required by the Public Health
 (Ireland) Act, 1878, having been previously duly published, served, and given,
 the Local Government Board have caused a local inquiry to be made in 20
 pursuance of the provisions of the said Act :

And whereas the said grand juries respectively have, by presentment, consented
 to the making of this Order :

It is ordered by the Local Government Board for Ireland as follows :—

Transfer to the
 urban sanitary
 authority of the
 powers of the
 grand juries
 with respect
 to roads,
 bridges, foot-
 paths, and
 public works.

1. From and after the confirmation of this Order all jurisdiction, power, and 25
 authority with respect to roads, bridges, footpaths, and public works
 within the said urban sanitary district (except public works chargeable
 to the counties of Antrim and of Down; respectively, at large) vested in
 the grand juries of the counties of Antrim and of Down respectively under
 any Act, shall be transferred from the said grand juries respectively, to 30
 the sanitary authority. And after such transfer it shall not be lawful for
 either of the said grand juries, to make any presentment with regard to
 any road, bridge, footpath, or other public work within the said district,
 except presentments chargeable upon the said counties of Antrim or of
 Down, as the case may be, at large. And lands and premises within the 35
 said urban sanitary districts shall not be liable to grand jury cess, save in
 the cases herein-after mentioned.

Contribution
 of the sanitary
 authority to
 county at large
 charges.

2. From and after the confirmation of this Order the secretary of the grand
 jury of each of the counties of Antrim and of Down respectively shall,
 immediately after each assizes, furnish to the clerk of the sanitary 40

A.D. 1894.
 ———
 Lisburn.

authority a certificate in writing, signed by such secretary, stating the amount which the sanitary authority shall be liable to contribute to the expense of public works chargeable to the counties of Antrim and of Down, respectively, at large, in respect of presentments made at such assizes—such proportions of county at large charges to be calculated as follows :—

The amount certified by the secretary of the grand jury of each county shall bear the same proportion to the whole amount of the county at large presentments at each assizes as the valuation of the rateable hereditaments in the part of the said town lying within such county shall bear to the total amount of the valuation of such county. The sanitary authority shall within thirty days after the delivery of each such certificate pay the amount thereof to the banking company acting as treasurer of such county, and the receipt of the proper officer of such banking company shall be a sufficient discharge for the same. If the sanitary authority shall at any time fail to lodge within the time herein-before mentioned the amount so certified by the secretaries of the said grand juries, or either of them, the liability of owners and occupiers of premises within the said district to pay grand jury cess in respect of such premises shall be revived to the extent necessary for levying the sum so certified, and such owners and occupiers shall be liable to pay grand jury cess in respect of the presentments included in such certificates, and such payments shall be enforced in the same manner in all respects as if this Order had not been confirmed.

3. From and after the confirmation of this Order the sanitary authority shall contribute to the making and maintaining of roads, bridges, and footpaths (not being chargeable to the county at large), situate in the portion of the barony of Upper Massereene, in the county of Antrim, lying outside the sanitary district the annual sum of one hundred and sixty pounds, and to the making and maintaining of roads, bridges, and footpaths (not being chargeable to the county at large), situate in the portion of the barony of Upper Castlereagh, in the county of Down, lying outside the sanitary district, the annual sum of thirty pounds. The said sums of one hundred and sixty pounds and of thirty pounds respectively shall be paid to the respective banking companies acting as treasurers for each of the said counties within one month after the day fixed for the payment of the general assessment rate in the said urban sanitary district in each year, and the receipt of the respective proper officers of the said banking companies shall be a sufficient discharge for the same.

Contribution of sanitary authority to roads, bridges, and public works in the baronies of Upper Massereene and Upper Castlereagh.

4. In the case of any presentment to which, if slated, the sanitary authority would be bound to contribute under the terms of this Order, and also in all cases of presentments made for making or maintaining roads, bridges, or footpaths in the portions of the said baronies of Upper Massereene and Upper Castlereagh lying outside the sanitary district, the sanitary authority may traverse such presentment, and such traverse shall be dealt with and tried in all respects in the same manner as other traverses of presentments.

Power to traverse presentments.

A.D. 1894.

Lisburn.

Provision for
arrears of
grand jury cess,
and pending
contracts.

5. This Order shall not affect the levying or enforcing payment of arrears (if any) of grand jury cess due at the time of the confirmation of this Order. In cases of contracts for works to be executed wholly or partly in the sanitary district, entered into before the confirmation of this Order, and then wholly or partly unperformed, every such contract shall be performed and carried out in all respects in the same manner as it should have been performed and carried out if this Order had not been confirmed, and the amounts payable to contractors and others by the sanitary authority in pursuance of such contracts shall in each year be ascertained and certified as follows:—In the case of any contract relating to works in the county of Down the amount payable shall be ascertained by the county surveyor of the said county and the town surveyor of the town of Lisburn, who shall certify the amount. In case of any difference between the said surveyors the matter shall be referred to the county surveyor of the county of Antrim, who shall ascertain and certify the amount to be paid. In like manner in the case of any contract relating to works executed in the county of Antrim the amount payable shall be ascertained and certified by the county surveyor of the said county and the said town surveyor, and in case of any difference between them the matter shall be referred to the county surveyor of the county of Down, who shall ascertain and certify the amount to be paid. In all such cases the amount so certified shall be added to the amount of the certificates furnished by the respective secretaries of the grand juries in pursuance of clause 2 of this Order, and shall be paid accordingly by the sanitary authority.

Expenses of
executing
Order.

17 & 18 Vict.
c. 103.

Cost of Order.

Short title
of Order.

6. The expenses incurred by the sanitary authority in exercising the power, jurisdiction, and authority transferred to them by this Order, and in making the payments herein-before mentioned, shall be defrayed by them out of and by means of a rate to be assessed and made payable in the same manner as is provided by the sixtieth section of the Towns Improvement (Ireland) Act, 1854, with respect to general assessments, provided that such assessment shall not in any one year exceed the rate of three shillings in the pound.
7. The costs of the sanitary authority of and incidental to the application for and preparation of this Order, and of obtaining the confirmation thereof, shall be paid by the sanitary authority out of and by means of the said general assessment.
8. This Order may be cited and referred to for all purposes as the Lisburn Town Provisional Order, 1894.

Given under our Hands and Seal of Office this Twenty-second day of March, in the year of Our Lord One thousand eight hundred and ninety-four.

(L.S.)

(Signed)

F. MACCABE.
H. A. ROBINSON.

**Local Government
(Ireland) Provisional
Order (No. 4).**

A

B I L L

To confirm a Provisional Order made
by the Local Government Board
for Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Urban Sanitary District of Lisburn.

*(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)*

*Ordered, by The House of Commons, to be Printed,
4 April 1894.*

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[*Price 1d.*]

[Bill 140.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Urban Sanitary
District of Athlone.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto, under
the provisions of the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be

5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows :—

10 **1.** The Order set out in the schedule hereto is hereby con-
firmed, and all the provisions thereof shall have full validity and
force. Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 5) Act, 1894.

A.D. 1894.

*Athlone.*SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF ATHLONE.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Athlone, situated 5
in the counties of Roscommon and Westmeath, elected in pursuance of the
Towns Improvement (Ireland) Act, 1854 (herein-after called the sanitary
authority) being the sanitary authority of the urban district consisting of the
said town, and being a body corporate under such title, have made an appli-
cation, in pursuance of the Public Health (Ireland) Act, 1878, to the Local 10
Government Board for Ireland (herein-after called the Local Government
Board), for a Provisional Order to transfer from the grand juries of the said
counties respectively to the sanitary authority the jurisdiction, power, and
authority with respect to roads, bridges, footpaths, and public works vested
in the said grand juries respectively under any Act.

And whereas all advertisements and notices required by the Public Health 15
(Ireland) Act, 1878, having been previously duly published, served, and given,
the Local Government Board have caused a local inquiry to be made, in
pursuance of the provisions of the said Act, as to the propriety of assenting
to the prayer of the said petition.

And whereas the grand jury of the County Westmeath has, by presentment, 20
consented to the making of this Order.

And whereas an application has been made to the Grand Jury of the
County Roscommon to consent to the making of this Order, and the said
Grand Jury has not consented thereto, and, notwithstanding the absence of 25
such consent, the Local Government Board think fit to make this Order, on
the special grounds stated in a special report to Parliament, made in pursuance
of the said Act.

It is ordered by the Local Government Board as follows:—

1. From and after the confirmation of this Order by Parliament, all 30
jurisdiction, power, and authority with respect to roads, bridges, foot-
paths, and public works within the town of Athlone (except public
works concerning and chargeable on the county at large), shall be
transferred from the Grand Juries of the counties of Roscommon and
Westmeath respectively to the sanitary authority. 35

17 & 18 Vict.
c. 103.41 & 42 Vict.
c. 52.41 & 42 Vict.
c. 52.Transfer of
powers of the
grand juries.

After such transfer, it shall not be lawful for either of the said grand juries to make any presentment with respect to any road, bridge, footpath, or public work within the said town, except public works chargeable on the county at large; and lands and premises within the said town shall not be liable to any grand jury cess in respect of any baronial presentment respecting roads, bridges, footpaths, or other public works, except public works chargeable on the said counties at large respectively.

A.D. 1894.
Athlone.

2. This Order shall not affect in any way the levying and enforcement of the payment of grand jury cess, or of arrears (if any) of grand jury cess due at the time of the confirmation of this Order; nor shall this Order affect any contract for the execution of any public work within the said district, in force and unperformed at the time of the confirmation of this Order.

Provision for
levying arrears
of grand jury
cess and for
existing
contracts.

All such contracts shall be executed and carried out in all respects and all monies payable in respect of such contracts shall be raised, levied, and paid in the same manner as if this Order had not been made.

3. From and after the confirmation of this Order, each of the Secretaries of the Grand Juries of Roscommon and Westmeath shall, within one month after the first day of each assizes, furnish to the clerk of the Town Commissioners of Athlone, a certificate, signed by such Secretary, stating the amount of grand jury cess payable in respect of rateable premises within the said town, on account of presentments chargeable to each of the said counties at large respectively, and the amount stated in each certificate shall be a sum bearing the same proportion to the total amount of presentment for works chargeable to each of the said counties at large respectively, as the value of rateable premises within the part of the town situated in each of the said counties shall bear to the total valuation of such county. The sanitary authority shall, within one month after the delivery of each certificate, lodge the amount therein stated in the bank of the banking company appointed to act as treasurer of the county, in pursuance of the provisions of 30th and 31st Victoria, chapter 46, and the receipt of the officer of the bank authorised by the said Act to give receipts shall be a sufficient discharge to the sanitary authority for the payment of the amount of each certificate. If the sanitary authority shall at any time fail to lodge within the time herein-before mentioned the amount so certified by the Secretary of the Grand Jury, the liability of owners and occupiers of premises within the said town to pay grand jury cess shall be revived to the extent necessary for levying the amount of such certificate, and such owners and occupiers shall be liable to pay grand jury cess in respect of the presentments included in the certificate, and such payment may be enforced in the same manner in all respects as such payment might have been enforced if this Order had not been made.

Provision for
future payment
of grand jury
cess.

A.D. 1894.

*Athlone.*Provisions for
traversing
presentment.Additional
rating power
of sanitary
authority17 & 18 Vict.
c. 103.Costs and
expenses
of Order.

4. In the case of any presentment to which, if stated, the sanitary authority shall be liable to contribute under the provisions herein-before contained, the sanitary authority may traverse such presentment, and such traverse shall be dealt with and tried in all respects in the same manner as other traverses of presentments. 5
5. In order to enable the sanitary authority to defray the expenses consequent upon and incident to the transfer of authority herein-before provided for and ordered, it shall be lawful for the sanitary authority to assess, raise, and levy, in addition to the rates which they are now empowered to levy, a rate not exceeding two shillings in the pound of 10 the rateable value of premises in the said town, which rate shall be assessed, raised, and levied in addition to the general rate leviable in pursuance of the Towns Improvement (Ireland) Act, 1854, section 60, and shall be assessed, raised, levied, and paid in the like manner in all respects as such general rate is now assessed, raised, levied, and 15 paid.
6. The costs and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for, and making of this Order, the obtaining and endeavouring to obtain the consents of the grand juries thereto, and the confirmation thereof by Parliament 20 shall be paid by the sanitary authority out of and by means of such general rate as aforesaid.
7. This Order may be cited and referred to for all purposes as the Athlone Provisional Order, 1894.

Given under our Hands and Seal of Office, this sixth day of April 25
in the year of our Lord one thousand eight hundred and
ninety-four.

(L.S.)

(Signed)

F. MACCABE.

H. A. ROBINSON.

Local Government (Ireland) Provisional Order (No. 5).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board
for Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Urban Sanitary District of Athlone.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
17 April 1891.

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[*Price 1d.*]

[Bill 165.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Rural Sanitary
District of Tullamore.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878 : 41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :—

- 10 1. The Order set out in the schedule hereto is hereby confirmed, Order in
and all the provisions thereof shall have full validity and force. schedule
confirmed.
2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 6) Act, 1894.

A.D. 1894.

Tullamore.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TULLAMORE WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Tullamore Union (herein-after 5
called the sanitary authority) are the rural sanitary authority of the district
consisting of the Tullamore Union, including the town of Tullamore.

55 & 56 Vict.
c. 212.

And whereas by the Tullamore Waterworks Provisional Order, 1892,
confirmed by the Local Government Board (Ireland) Provisional Order Con-
firmation (No. 5) Act, 1892, the sanitary authority were empowered to put in 10
force the powers of the Lands Clauses Acts with respect to the purchase and
taking of lands, otherwise than by agreement, with reference to the lands,
casements, lands covered with water, and rights to take and convey water shown
and described in the deposited plans and book of reference mentioned in the
said Provisional Order, and which the sanitary authority required to take for 15
the purpose of constructing waterworks for supplying the town of Tullamore
with water.

And whereas the lands and premises which the sanitary authority were
empowered by the said Order to take included the site of a reservoir in the
townland of Gurteen, the site of an intake weir across the River Clodiagh, below 20
the point of junction of the said river with the River Gorragh, in the townlands
of Cush Upper and Cush Lower, to divert the water thereof and furnish a
supply to the said reservoir, the site of an aqueduct on the said townlands, and
of a conduit from the said reservoir to the public road adjoining the said lands.

And whereas no part of the said last-mentioned works has been executed, 25
and no part of the lands required for them has been taken by the sanitary
authority.

And whereas it has been ascertained that the water of the Gorragh River
is objectionable, owing to its being loaded with sand, and for other reasons,
and it is also desirable to obtain water from a point further up the river 30
Clodiagh than the said intake weir, in order to provide water at a sufficiently
high pressure for the said town, and, consequently, the sanitary authority are
desirous of abandoning the construction of the part of the proposed waterworks
herein-before described, and of substituting in their place the works herein-after
mentioned, and have presented a petition to the Local Government Board 35
for Ireland (herein-after called the Local Government Board) praying that a
Provisional Order may be made repealing so much of the said Provisional Order

as authorises the taking of lands compulsorily for the purpose of the works so proposed to be abandoned, and that the sanitary authority may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, with respect to the lands and premises herein-after mentioned which are required for the purpose of other works to be substituted for the portion of the original works so proposed to be abandoned.

A.D. 1894.
Tullamore.

And whereas the sanitary authority have deposited at the office of the Local Government Board plans (herein-after called the deposited plans), showing the said works and the lands and premises required for the purposes aforesaid.

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, served, and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to make this Order in respect of the matters aforesaid.

41 & 42 Vict.
c. 52.

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the following lands and premises :—

Compulsory
powers of
taking lands,
water, and
easements.

(a.) A plot of ground in the townland of Clonaslee, barony of Tinnehinch, Queen's County, in the possession of Mrs. Margaret Hope, containing about one half a statute acre of land and required for the purpose of constructing a reservoir with filters and a pure water basin.

(b.) The site of a conduit, about six hundred feet long and twelve inches internal diameter, from the said reservoir to the point on the Clodiagh River where the intake weir next mentioned will be constructed.

(c.) The site of an intake weir across the River Clodiagh, at the place shown in the deposited plans, with a right to take and divert the water of the said river by means of the said weir.

(d.) A right to take and divert the water of the said river for the purpose aforesaid, together with all natural springs and water on the said lands, and a right to take and use the same for the purposes of the said works.

All which lands and premises are shown on the deposited plans.

2. The powers of taking lands and other premises otherwise than by agreement conferred on the sanitary authority by the Tullamore Waterworks Provisional Order, 1892, and the Act confirming the same, shall not be exercised so far as such powers apply to the site of the reservoir on the lands of Abraham Caulton at Gurteen, the site of a weir across the said River Clodiagh, in the townlands of Cush Upper and Cush Lower, on the lands of Joseph Poole and Patrick Young, the site of an aqueduct on the lands of the said Joseph Poole, and the site of the conduit from the

Termination
of certain
compulsory
powers given
by the Pro-
visional Order
of 1892.

A.D. 1894.

Tullamore.

reservoir to the public road, all which premises are described in the book of reference and deposited plans mentioned in the said Provisional Order.

Interpretation of terms.

3. The words land and lands in the Lands Clauses Acts shall, for the purposes of this Order, extend to and include messuages, buildings, lands, easements, lands covered with water, and rights to take and convey water.

Duration of
compulsory
powers.

4. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Costs of Order.

5. All costs, charges, and expenses of, and incidental to, the application for, preparing, obtaining, and confirming this Order shall be paid by the sanitary authority as special expenses.

Short title
of Order.

6. This Order may be cited and referred to for all purposes as the Tullamore Waterworks Provisional Order, 1894.

Given under our hands and seal of office this sixteenth day of April,
in the year of our Lord one thousand eight hundred and ninety-
four.

(L.S.)

(Signed)

F. MACCABE.

H. A. ROBINSON.

20

**Local Government
(Ireland) Provisional
Order (No. 6).**

BILL

A

To confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Rural Sanitary District of Tullamore.

(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)

*Ordered, by The House of Commons, to be Printed,
26 April 1894.*

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[Price ½d.]

[Bill 191.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health —
(Ireland) Act, 1878, relating to the Rural Sanitary
District of Roscrea.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:—

10 1. The Order set out in the schedule hereto is hereby confirmed,
and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board
(Ireland) Provisional Order Confirmation (No. 7) Act, 1894.

Short title.

A.D. 1894.

Roscrea.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

ROSCREA WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Roscrea Union (herein-after 5
called the sanitary authority), being the sanitary authority of the rural
sanitary district, consisting of the Roscrea Union (including the town of Roscrea),
are about to construct waterworks to provide a supply of water for the town of
Roscrea for drinking and domestic purposes :

And whereas the sanitary authority have presented a petition to the Local 10
Government Board for Ireland (herein-after called the Local Government
Board) in pursuance of the Public Health (Ireland) Act, 1878, praying that
they may be empowered to put in force the powers of the Lands Clauses Acts
with respect to the purchase and taking of land otherwise than by agreement
with reference to certain lands and premises required for the purposes of the 15
said works :

And whereas the sanitary authority have deposited at the office of the Local
Government Board in Dublin plans and a book of reference (herein-after called
the deposited plans and book of reference) showing the lands and premises
required for the said purposes :

And whereas all advertisements and notices required by the Public Health 20
(Ireland) Act, 1878, having been previously published, served, and given, the
Local Government Board have caused a local inquiry to be held as to the
propriety of assenting to the prayer of the said petition, and it appears to the
Local Government Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :— 25

Compulsory
powers to
take lands and
premises.

1. From and after the confirmation of this Order by Parliament, the sanitary
authority shall be empowered to put in force the powers of the Lands
Clauses Acts with respect to the purchase and taking of land otherwise
than by agreement with reference to the lands, lands covered with water, 30
water, rights to take and convey water, easements, rights of way,
and other premises described in the deposited plans and book of reference;
and, for the purposes of this Order, the word "land" in the Lands
Clauses Acts shall extend to and include the said lands, lands covered
with water, water, rights to take and convey water, easements, rights of 35
way, and other premises.

2. The costs, charges, and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order, shall be deemed to be special expenses of the sanitary authority incurred in the execution of the Public Health (Ireland) Act, 1878, and shall be chargeable upon the contributory places upon which the expenses of the said works shall be chargeable. A.D. 1894.
Roscrea.
Costs of Order.
41 & 42 Vict.
c. 52.
- 5 -
3. The compulsory powers of taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. Duration of
Order.
- 10 4. This Order may be cited and referred to for all purposes as the Roscrea Waterworks Provisional Order, 1894. Short title of
Order.

Given under our hands and seal of office this Sixteenth day of April, in the year of our Lord one thousand eight hundred and ninety-four.

15 (L.S.)

(Signed) F. MACCABE.
H. A. ROBINSON.

Local Government (Ireland) Provisional Order (No. 7).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Rural Sanitary District of Roserea.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibern)

Ordered, by The House of Commons, to be Printed,
26 April 1894.

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[Bill 192.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Rural Sanitary
District of Strabane.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878: 41 & 42 Vict.

And whereas it is requisite that the said Order should be c. 52.
5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:—

10 1. The Order set out in the schedule hereto is hereby confirmed, Order in
and all the provisions thereof shall have full validity and force. schedule
confirmed.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 8) Act, 1894.

A.D. 1894.

*Sion,
 Liggartown,
 and
 Ballyfatten.*

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

SION, LIGGARTOWN, AND BALLYFATTEN WATER- WORKS.

PROVISIONAL ORDER.

5

WHEREAS the Guardians of the Poor of the Strabane Union (herein-
 after called the sanitary authority), being the sanitary authority of the rural
 sanitary district consisting of the Strabane Union, are about to construct
 waterworks to provide a supply of water for drinking and domestic purposes
 for the village of Sion, and the adjoining districts of Liggartown and Ballyfatten, 10
 in the said sanitary district, and have presented a petition to the Local
 Government Board for Ireland (herein-after called the Local Government
 Board), in pursuance of the Public Health (Ireland) Act, 1878, praying that
 they may be allowed to put in force the powers of the Lands Clauses Acts
 with respect to the purchase and taking of lands otherwise than by agreement 15
 with reference to certain lands and premises required for the said works :

41 & 42 Vict.
 c. 52.

And whereas the sanitary authority have deposited at the office of the
 Local Government Board in Dublin plans and a book of reference (herein-
 after called the deposited plans and book of reference), showing the lands and
 premises required for the said purposes :

20

41 & 42 Vict.
 c. 52.

And whereas all advertisements and notices required by the Public Health
 (Ireland) Act, 1878, having been previously published, served, and given,
 the Local Government Board have caused a local inquiry to be held as to the
 propriety of assenting to the prayer of the said petition, and it appears to
 the Local Government Board to be proper to assent thereto, save so far as it 25
 relates to certain premises therein comprised and herein-after mentioned, and
 subject to the conditions herein-after stated :

It is ordered by the Local Government Board as follows:—

Compulsory
 powers to take
 lands and other
 premises.

1. From and after the confirmation of this Order by Parliament, the
 sanitary authority shall be empowered to put in force the powers 30
 of the Lands Clauses Acts with respect to the purchase and taking
 of land otherwise than by agreement with reference to the lands,
 lands covered with water, water, rights to take and convey water,
 easements, rights of way, and other premises described in the deposited
 plans and book of reference, except the lands numbered respectively 28, 35
 31, 32, and 33 in the deposited plans and book of reference.

- In the case of each spring, stream, and site for a tank included in the deposited plans and book of reference, and which the sanitary authority are hereby authorised to take compulsorily, the sanitary authority shall, when it appears to the arbitrator appointed under the Lands Clauses Acts to be proper to do so, provide by means of a drinking fountain or otherwise for a sufficient quantity of water being supplied for the use of the occupiers of the land wherein such spring or stream is situated, and also for the supply of any flax dams for steeping flax used by such occupiers. The sufficiency of such drinking fountains or other works and the sufficiency of the water supply thereby provided shall be determined by the aforesaid arbitrator and his determination on the matter shall be included in his award. For the purposes of this Order the word "land" in the Lands Clauses Acts shall extend to and include the said lands, lands covered with water, water, rights to take and convey water, easements, rights of way, and other premises.
2. The costs, charges, and expenses of and incidental to the application for, preparation of, obtaining, and confirming this Order, shall be paid by the sanitary authority, and shall be deemed to be special expenses of the sanitary authority incurred in the execution of the Public Health (Ireland) Act, 1878, and shall be chargeable upon the contributory places on which the expenses of the said waterworks will be chargeable.
3. The compulsory powers of taking lands given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.
4. This Order may be cited and referred to for all purposes as the Sion Waterworks Provisional Order, 1894.

A.D. 1894.

*Sion,
Liggartown,
and
Ballyfatten.*

Costs of Order.

41 & 42 Vict.
c. 52.

Duration of
compulsory
power.

Short title of
Order.

Given under our Hands and Seal of Office this Eighteenth day of April, in the year of our Lord one thousand eight hundred and ninety-four.

30

(L.S.)

(Signed)

F. MACCABE.

H. A. ROBINSON.

Local Government (Ireland) Provisional Order (No. 8).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Rural Sanitary District of Strabane.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

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90, West Nile Street, Glasgow; or
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[*Price 1d.*]

[Bill 193.]

A

B I L L

TO

Confirm two Provisional Orders made by the Local Government Board for Ireland under the Housing of the Working Classes Act, 1890, and the Public Health (Ireland) Act, 1878, relating to the Urban Sanitary District of Dublin.

A.D. 1894.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Housing of the Working Classes Act, 1890, and the Public Health (Ireland) Act, 1878 :

41 & 42 Vict.
c. 52.

5 And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and
10 by the authority of the same, as follows :—

1. The Orders set out in the schedule hereto are hereby confirmed, and all the provisions thereof shall have full validity and force.

Order
in schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 9) Act, 1894.

Short title.

A.D. 1894.

Dublin.SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CITY OF DUBLIN.

PROVISIONAL ORDER

Authorising the purchase and taking of lands and premises otherwise than by agreement for the purposes of the Housing of the Working Classes Act, 1890, Part III.

53 & 54 Vict.
c. 70.

WHEREAS the Housing of the Working Classes Act, 1890, Part III., has been adopted in the city of Dublin, and the Right Honourable the Lord Mayor, aldermen, and burgesses of Dublin (herein-after called the local authority) are about to carry the same into execution with respect to a certain district in the said city between Bride Street and Nicholas Street, and for that purpose have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Housing of the Working Classes Act, 1890, and of the Public Health (Ireland) Act, 1878, praying that they may with reference to certain lands, houses, and premises required for the said purpose be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement :

10

53 & 54 Vict.
c. 70.
41 & 42 Vict.
c. 52.

And whereas the local authority have deposited in the office of the Local Government Board in Dublin, plans and a book of reference (herein-after called the deposited plans and book of reference), showing the lands, houses, and premises proposed to be taken for the purposes aforesaid :

20

And whereas all advertisements and notices required by the said Acts having been previously duly published, served, and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto :

25

It is ordered by the Local Government Board as follows :—

Compulsory
powers of
taking
lands, &c.
53 & 54 Vict.
c. 70.

1. From and after the confirmation of this Order by Parliament, the local authority shall, for the purposes of carrying into execution the Housing of the Working Classes Act, 1890, Part III., be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement, with reference to the lands, houses, and premises described in the deposited plans and book of reference.

30

35

2. The local authority shall not, in the execution of the said Act and of this Order, purchase or acquire ten or more houses which, after the passing of the Act confirming this Order, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers unless and until:—

A.D. 1894.

Dublin.

Provision for
houses of
labouring
class.

(1.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case, and until they have given security to the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme, they may approve either absolutely or conditionally of any modification in the scheme.

(3.) Every such scheme shall contain provisions prescribing the time within which it is to be carried out, and shall require the new buildings proposed to be provided under the scheme to be completed and fit for occupation, before the persons residing in the houses, in respect of which the scheme is made, are displaced: Provided that the Local Government Board may dispense with the last mentioned requirement, subject to such conditions, if any, as they may think fit.

(4.) Any provisions of any such scheme, and any conditions subject to which the Local Government Board may have approved of any such scheme, or of any modifications thereof, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the local authority acquire or appropriate any house for the purpose of this Order in contravention of the foregoing provisions or displace or cause to be displaced persons residing in any house in contravention of the requirements of any scheme made and approved of in pursuance of this section of this Order, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the consolidated fund of the United Kingdom: Provided that the Court may, if it think fit, reduce the said penalty.

A.D. 1894.

*Dublin.*41 & 42 Vict.
c. 52.

- (6.) Subject to the provisions of this section of this Order, the local authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section, all or any of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act: Provided that all lands on which any buildings have been erected by the local authority in pursuance of any scheme under this section shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this proviso: Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection of this Order, subject to such conditions (if any) as they may think fit. 5 10 15
- (7.) The local authority shall, if required by the Local Government Board, pay to the said Board a sum to be fixed by the Board in respect of the preparation and issue of any Provisional Order made in pursuance of this section of this Order, and of any expenses incurred by the Board in relation to any inquiries under this Order, including the expenses of any witness summoned by the inspector holding the inquiry, and a sum to be fixed by the Board, not exceeding three guineas a day, for the services of such inspector. 20 25
- (8.) For the purposes of this section of this Order, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own families, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them. 30
3. The compulsory powers of purchasing and taking lands and other premises conferred by this Order, shall not be exercised after the expiration of five years from the confirmation of this Order. 35
4. The costs, charges, and expenses of the local authority and of the Local Government Board, of or incidental to the application for, preparation of, obtaining and confirming this Order, shall be paid by the local authority as part of their expenses under the Public Health (Ireland) Act, 1878. 40
5. This Order may be cited for all purposes as the Dublin (Bride's Alley Area) Provisional Order, 1894.

Given under our Hands and Seal of Office, this fourth day of May, in the year of our Lord One thousand eight hundred and ninety-four.

(L.S.)

GEORGE MORRIS,
F. MACCABE.

45

Duration of
compulsory
powers.

Costs of Order.

41 & 42 Viet.
c. 52.
Short title of
Order.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1894.

Dublin.

CITY OF DUBLIN.

PROVISIONAL ORDER

5 *Authorising the purchase and taking of lands and premises other-
wise than by agreement for the purpose of widening, enlarging,
and improving a street.*

10 WHEREAS the Right Honourable the Lord Mayor, aldermen, and burgesses
of the city of Dublin (herein-after called the sanitary authority), are about to
widen, enlarge, and improve a street in the said city, called John's Lane, and for
that purpose have presented a petition to the Local Government Board for
Ireland (herein-after called the Local Government Board), in pursuance of the
Public Health (Ireland) Act, 1878, praying that they may with reference to
certain lands, houses, and premises required for the said purpose be allowed to
put in force the powers of the Lands Clauses Acts with respect to the purchase
15 and taking of lands otherwise than by agreement.

41 & 42 Vict.
c. 52.

And whereas the sanitary authority have deposited in the office of the Local
Government Board in Dublin plans and a book of reference (herein-after called
the deposited plans and book of reference) showing the lands, houses, and
premises proposed to be taken for the purpose aforesaid.

20 And whereas all advertisements and notices required by the said Act having
been previously duly published, served, and given, the Local Government Board
have caused a local inquiry to be made as to the propriety of assenting to the
prayer of the said petition, and it appears to the Local Government Board to be
proper to assent thereto :

25 It is ordered by the Local Government Board as follows:—

1. From and after the confirmation of this Order by Parliament, the sanitary
authority shall, for the purpose aforesaid, be empowered to put in force
the powers of the Lands Clauses Acts with respect to the purchase and
taking of land otherwise than by agreement with reference to the lands,
30 houses, and premises described in the deposited plans and books of
reference.

Compulsory
powers of
taking lands.

2. The sanitary authority shall not, under the powers of this Order, purchase
or acquire ten or more houses which, on the fifteenth day of December
last, were occupied either wholly or partially by persons belonging to the
labouring class as tenants or lodgers, or, except with the consent of the
Local Government Board, ten or more houses which were not so occupied
35 on the said fifteenth day of December but have been or shall be subse-
quently so occupied.

Restriction of
power to take
houses of
labouring class.

40 For the purposes of this clause, the expression "labouring class"
includes mechanics, artizans, labourers, and others working for wages,
hawkers, costermongers, persons not working for wages, but working at

A.D. 1894.

*Dublin.*Duration of
compulsory
powers.

Costs of Order.

41 & 42 Vict.
c. 52.Short title
of Order.

some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

3. The compulsory powers of purchasing and taking land given by this Order shall not be exercised after the expiration of five years from the confirmation of this Order. 5
4. The costs, charges, and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for, preparation of, obtaining and confirming this Order, shall be paid by the sanitary authority as part of their expenses under the Public Health (Ireland) Act, 1878. 10
5. This Order may be cited and referred to for all purposes as the Dublin (John's Lane) Provisional Order, 1894.

Given under our Hands and Seal of Office, this second day of May, 15
in the year of our Lord One thousand eight hundred and ninety-
four.

(L.S.)

GEORGE MORRIS.
F. MACCABE.

Local Government (Ireland) Provisional Order (No. 9).

A

B I L L

To confirm two Provisional Orders made
by the Local Government Board for
Ireland under the Housing of the
Working Classes Act, 1890, and the
Public Health (Ireland) Act, 1878,
relating to the Urban Sanitary
District of Dublin.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

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30, West Nile Street, Glasgow; or
HODGES, FIGGIS, & CO., LIMITED, 104, Grafton Street, Dublin.

[*Price 1d.*]

[Bill 238.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Urban Sanitary District of Larne. A.D. 1894.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 10 1. The Order set out in the schedule hereto is hereby confirmed, and all the provisions thereof shall have full validity and force. Order in
schedule
confirmed.
2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 10) Act, 1894. Short title.

A.D. 1894.

Larne.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

LARNE WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the Town of Larne, in the County 5
of Antrim, elected in pursuance of the Towns Improvement (Ireland) Act,
17 & 18 Vict. c. 103. 1854, have been constituted an urban sanitary authority, and the said town has
been constituted an urban sanitary district by the Larne Provisional Order,
1892, confirmed by the Local Government Board (Ireland) Provisional Order
55 Vict. c. xxxii. Confirmation (No. 1) Act, 1892, and the said urban sanitary authority (herein- 10
42 & 43 Vict. c. 57. after called the sanitary authority) are incorporated under the provisions of the
Public Health (Ireland) Amendment Act, 1879 :

And whereas the sanitary authority are about to construct certain new
waterworks for the purpose of providing a supply of water in addition to that
furnished by certain waterworks already constructed, and have presented a 15
petition to the Local Government Board for Ireland (herein-after called the
Local Government Board) in pursuance of the Public Health (Ireland) Act,
41 & 42 Vict. c. 52. 1878, praying that they may be allowed to put in force the powers of the
Lands Clauses Acts with respect to the purchase and taking of lands otherwise
than by agreement with reference to certain lands and premises required for 20
the purposes of the said additional waterworks :

And whereas the sanitary authority have deposited at the office of the
Local Government Board, in Dublin, plans and a book of reference (herein-
after called the deposited plans and book of reference) showing the additional
waterworks intended to be executed and the lands and premises required for 25
the purpose of the said works :

And whereas all advertisements and notices required by the Public
Health (Ireland) Act, 1878, having been previously duly published, served,
and given, the Local Government Board have caused a local inquiry to be
made as to the propriety of assenting to the prayer of the said petition, and 30
it appears to the Local Government Board to be proper to assent thereto on
the terms and subject to the conditions herein-after mentioned.

It is ordered by the Local Government Board as follows :—

Compulsory
powers to
take land,
water,
water-rights,
&c.

1. From and after the confirmation of this Order by Parliament, the
sanitary authority shall be empowered to put in force the powers of 35
the Lands Clauses Acts with respect to the purchase and taking of lands

otherwise than by agreement, with reference to the lands, lands covered with water, springs, streams, water, rights to take and convey water, easements, and other premises described in the deposited plans and book of reference. For the purposes of this Order. the word

A.D. 1894.

Larne.

5

"land" in the Lands Clauses Acts shall extend to and include the said lands, lands covered with water, springs, streams, water, rights to take and convey water, easements, and other premises.

10

2. The arbitrator appointed under the Lands Clauses Acts for the purposes of this Order shall in addition to all other powers vested in him by the said Acts, be empowered to include in his award such conditions and provisions as may appear to him to be reasonable for the purpose of securing a proper supply of water for any owner or occupier of land whose supply of water is taken or injuriously affected by the said waterworks, and also to provide by his award for the execution of any works by the sanitary authority which may appear to the said arbitrator to be required for the purposes aforesaid.

Provision for
a supply of
water to
occupiers and
owners of
lands, and
water taken
under this
Order.

15

3. The costs and expenses of and incidental to the application for, preparation, and confirmation of this Order shall be paid by the sanitary authority out of and by means of any rate applicable to the payment of their expenses as a sanitary authority.

Costs of Order.

20

4. The compulsory powers of taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Duration of
compulsory
powers.

25

5. This Order may be cited and referred to for all purposes as the *Larne Waterworks Provisional Order, 1894.*

Short title
of Order.

Given under our Hands and Seal of Office, this second day of May, in the year of our Lord One thousand eight hundred and ninety-four.

(L.S.)

(Signed)

GEORGE MORRIS.

F. MACCABE.

30

Local Government (Ireland) Provisional Order (No. 10).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Urban Sanitary District of Larne.

*(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)*

*Ordered, by 'The House of Commons, to be Printed,
22 May 1894.*

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JOHN MENZIES & CO., 12, Hanover Street, Edinburgh, and
30, West Nile Street, Glasgow; or
HODGES, FIGGERS, & CO., LIMITED, 104, Grafton Street, Dublin.

[Price 1d.]

[Bill 239.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Urban Sanitary
District of Clones.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878 : 41 & 42 Vict.
And whereas it is requisite that the said Order should be c. 52.

5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :—

- 10 1. The Order set out in the schedule hereto is hereby confirmed, Order in
and all the provisions thereof shall have full validity and force. schedule
confirmed.
2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 11) Act, 1894.

A.D. 1894.

S C H E D U L E.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Clones.

CLONES WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Clones (herein-after 5
called the sanitary authority) are the urban sanitary authority of the district
consisting of the said town, and are about to construct waterworks for the
purpose of supplying the said town and district with water for drinking and
domestic purposes :

41 & 42 Vict.
c. 52.

And whereas the sanitary authority have presented a petition to the Local 10
Government Board for Ireland (herein-after called the Local Government
Board) in pursuance of the Public Health (Ireland) Act, 1878, praying that
they may be allowed to put in force the powers of the Lands Clauses Acts
with respect to the purchase and taking of lands otherwise than by agreement
with reference to certain lands and premises required for the purposes of the 15
said works :

And whereas the sanitary authority have deposited at the office of the Local
Government Board in Dublin plans and a book of reference (herein-after called
the deposited plans and book of reference), showing the works intended to be
executed, and the lands, lands covered with water, rights to take and convey 20
water, streams, springs, easements, and other premises required for the purposes
of these works :

41 & 42 Vict.
c. 52.

And whereas all advertisements and notices required by the Public Health
(Ireland) Act, 1878, having been previously duly published, served, and given,
the Local Government Board have caused a local inquiry to be made as to the 25
propriety of assenting to the prayer of the said petition, and it appears to the
Local Government Board to be proper to assent thereto.

It is ordered by the Local Government Board as follows :—

Compulsory
powers to take
lands, water,
&c.

1. From and after the confirmation of this Order by Parliament, the sanitary
authority shall be empowered to put in force the powers of Lands 30
Clauses Acts with respect to the purchase and taking of lands other-
wise than by agreement with reference to the lands, lands covered with
water, rights to take and convey water, streams, springs, easements,
and other premises described in the deposited plans and book of
reference ; and, for the purposes of this Order, the word "land" in the 35
Lands Clauses Acts shall extend to and include the said lands, lands

covered with water, rights to take and convey water, streams, springs, easements, and other premises. A.D. 1894.

2. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. *Clones.*
Duration of compulsory powers.

3. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which, on the fifteenth day of December last, were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

For the purpose of this section the expression "labouring class" means and includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others, except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

4. All costs, charges, and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be paid by the sanitary authority out of any rate applicable to the payment of their expenses as a sanitary authority. Costs of Order.

5. This Order may be cited and referred to for all purposes as the Clones Waterworks Provisional Order, 1894. Short title of Order.

Given under our hands and seal of office this twelfth day of May, in the year of our Lord one thousand eight hundred and ninety-four.

(Signed) GEORGE MORRIS.
F. MACCABE.

Local Government (Ireland) Provisional Order (No. 11).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Urban Sanitary District of Clones.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
28 May 1894.

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90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.

[*Price 3d.*]

[Bill 255.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Rural Sanitary District of Coleraine. A.D. 1894.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878 : 41 & 42 Vict.

And whereas it is requisite that the said Order should be confirmed by Parliament : c. 52.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

- 10 1. The order set out in the schedule hereto is hereby confirmed, and all the provisions thereof shall have full validity and force. Order in
schedule
confirmed.
2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 12) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Portstewart.*PORTSTEWART WATERWORKS AND SEWERAGE
WORKS.

PROVISIONAL ORDER.

5

WHEREAS the Guardians of the Poor of the Coleraine Union (herein-after called the sanitary authority, being the rural sanitary authority of the district consisting of the said Union wherein the town of Portstewart is situated, are about to construct waterworks for the purpose of providing a supply of water for the said town for drinking and domestic purposes and to execute certain sewerage works for the said town :

41 & 42 Vict.
c. 52.

And whereas the sanitary authority have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands and premises required for the said works :

15

And whereas the sanitary authority have deposited at the office of the Local Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference), showing the works intended to be executed, and the lands, easements, lands covered with water and rights to take and convey water required for the purposes of the said works :

20

41 & 42 Vict.
c. 52.

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, served, and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto :

25

It is ordered by the Local Government Board as follows :—

Compulsory
powers of
taking lands
and other
premises.

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, with reference to the lands, water, lands covered with water, rights to take and convey water, easements, rights of way, and other premises described in the deposited plans and book of reference, and for the purposes of this order the word "land" in the Lands Clauses Acts, shall extend to and include the said lands, water, lands covered with water, and rights to take and convey water, easements, rights of way, and other premises.

30

35

2. The costs, charges, and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be deemed to be special expenses of the sanitary authority incurred in the execution of the Public Health (Ireland) Act, 1878, and shall be chargeable on the contributory places whereon the expense of the said works will be chargeable. A.D. 1894.
Portstewart.
Cost of Order.
41 & 42 Vict.
c. 52.
- 5 3. The compulsory powers of taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. Duration of
compulsory
powers.
- 10 4. This Order may be cited and referred to for all purposes as the Portstewart Waterworks and Sewerage Works Provisional Order, 1894. Short title of
Order.
- Given under our hands and seal of office, this second day of
May, in the year of our Lord one thousand eight hundred and
ninety-four.

15

(Signed) GEORGE MORRIS.
F. MACCABE.

Local Government (Ireland) Provisional Order (No. 12).

A

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Rural Sanitary District of Coleraine.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
28 May 1894.

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90, West Nile Street, Glasgow; or
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[*Price ½d.*]

[Bill 256.]

A

B I L L

TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Housing of the
Working Classes Act, 1890, relating to the Urban
Sanitary District of the Pembroke Township.

WHEREAS the Local Government Board for Ireland have
made the Provisional Order set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be
5 confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows:—

10 1. The Order set out in the schedule hereto is hereby confirmed,
and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board
(Ireland) Provisional Order Confirmation (No. 13) Act, 1894.

Short title.

A.D. 1894.

Pembroke.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

PEMBROKE TOWNSHIP.

PROVISIONAL ORDER.

WHEREAS "The Pembroke Township Commissioners," incorporated by 5
the Pembroke Township Act, 1863 (herein-after called the sanitary authority),
are the urban sanitary authority of the district consisting of the said town-
ship, and have adopted Part III. of the Housing of the Working Classes Act,
1890; and desire to acquire land for the purposes of the said part of the said
Act, and also for the purpose of constructing a refuse destructor for the use 10
of the said district :

26 & 27 Vict.
c. lxxii.

53 & 54 Vict.
c. 70.

And whereas the sanitary authority have presented a petition to the Local
Government Board for Ireland (herein-after called the Local Government
Board), praying that they may be allowed to put in force the powers of the
Land Clauses Acts with respect to the purchase and taking of land otherwise 15
than by agreement with reference to the lands and premises required for the
purposes aforesaid :

And whereas the sanitary authority have deposited at the office of the
Local Government Board in Dublin plans and a book of reference (herein-
after called the deposited plans and book of reference), showing the said lands 20
and premises required for the said purposes :

And whereas all advertisements and notices required by the said Acts having
been previously duly published, served, and given, the Local Government
Board have caused a local inquiry to be made as to the propriety of assenting
to the prayer of the said petition, and it appears to the Local Government 25
Board to be proper to assent thereto :

It is ordered by the Local Government Board, as follows :—

1. From and after the confirmation of this Order by Parliament the sanitary
authority shall be empowered to put in force the powers of the Land
Clauses Acts with respect to the purchase and taking of lands other- 30
wise than by agreement with reference to the lands and premises
described and shown in the deposited plans and book of reference.
2. The sanitary authority shall not, under the powers of this Order,
purchase or acquire ten or more houses which, on the 15th day of
December last, were occupied, either wholly or partially, by persons 35
belonging to the labouring class as tenants or lodgers, or except with

Compulsory
powers of
taking land.

Provision for
houses occu-
pied by the
labouring
class.

the consent of the Local Government Board, ten or more houses which were not so occupied on the said 15th day of December, but have been or shall be subsequently so occupied. For the purpose of this section, the expression "labouring class" means and includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own families, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

A.D. 1894.
Pembroke.

3. The compulsory powers of taking land given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. Duration of compulsory powers.
4. The costs and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be paid by the sanitary authority out of and by means of the *Pembroke Township rates*, leviable under section forty-six of the *Pembroke Township Act, 1863*. Costs of Order. 26 & 27 Vict. c. lxxii.
5. This Order may be cited and referred to for all purposes as the *Pembroke Township Provisional Order, 1894*. Short title of Order.

Given under our hands and seal of office this twenty-fifth day of May, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.)

(Signed)

GEORGE MORRIS.

H. A. ROBINSON.

A.

B I L L

To confirm a Provisional Order made
by the Local Government Board for
Ireland under the Housing of the
Working Classes Act, 1890, relating
to the Urban Sanitary District of the
Pembroke Township.

(*Prepared and brought in by*
Mr. John Morley and Sir John Hibbert.)

Ordered, by The House of Commons, to be Printed,
1 June 1894.

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and 50, West Nile Street, Glasgow; or
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[*Price 4d.*]

[Bill 269.]

A

B I L L

TO

Confirm two Provisional Orders made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Urban Sanitary
District of the Township of Kingstown and the Rural
Sanitary District of Mountmelick.

WHEREAS the Local Government Board for Ireland have
made the Provisional Orders set forth in the schedule hereto,
under the provisions of the Public Health (Ireland) Act, 1878 : 41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Orders should be
5 confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows :—

10 **1.** The Orders set forth in the schedule hereto are hereby con- Orders in
schedule
confirmed.
firmed and all the provisions thereof shall have full validity and
force.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Orders Confirmation (No. 14) Act, 1894.

A.D. 1894.

Kingstown.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWNSHIP OF KINGSTOWN.

PROVISIONAL ORDER.

WHEREAS "The Commissioners of the Township of Kingstown," incorporated by and acting under the provisions of the Township of Kingstown Act, 1869 (herein-after called the sanitary authority), are the urban sanitary authority of the district consisting of the said township, and are about, in pursuance of the Public Health (Ireland) Act, 1878, and with the sanction of the Local Government Board for Ireland (herein-after called the Local Government Board) to provide and build in the said district, and for the use of the inhabitants thereof, a hospital to be used for patients suffering from cholera (in the event of cholera occurring in the said district), and for the reception of patients suffering from other infectious diseases, and also to erect cholera sheds : 5

32 & 33 Vict.
c. cxxxiii.

41 & 42 Vict.
c. 52.

And whereas the sanitary authority have presented a petition to the Local Government Board in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, with reference to certain lands and premises required for the erection of the said hospital and sheds, and have deposited at the office of the Local Government Board in Dublin, plans and a book of reference (herein-after called the deposited plans and book of reference) showing the lands and premises required for the purposes aforesaid : 15

41 & 42 Vict.
c. 52.

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously published, served, and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto. 25

41 & 42 Vict.
c. 52.

It is ordered by the Local Government Board as follows :—

Compulsory
powers to take
lands.

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises described in the deposited plans and book of reference. 30

A.D. 1894.

Kingstown.

Duration of
compulsory
powers.

Costs of Order.

41 & 42 Vict.
c. 52.

Limits within
which the
hospital and
sheds may
be constructed.

2. The compulsory powers of taking lands given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

5 3. The costs and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be paid by the sanitary authority, and shall be provided for by them out of any rates applicable to their expenses as a sanitary authority acting in pursuance of the Public Health (Ireland) Act, 1878.

10 4. The limits within which the cholera hospital and cholera sheds mentioned in this Order may be constructed or made, are the boundaries of the lands which the sanitary authority are hereby authorised to take compulsorily.

15 5. The sanitary authority shall not, under the powers of this Order, purchase or acquire ten or more houses, which, on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been, or shall be subsequently so occupied.

20 For the purpose of this section, the expression "labouring class" means and includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft, without employing others except members of their own families, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

25 6. This Order may be cited and referred to for all purposes as the Kingstown Cholera Hospital Provisional Order, 1894.

Short title of
Order.

30 Given under our Hands and Seal of Office this Twenty-ninth day of May, in the year of our Lord One thousand eight hundred and ninety-four.

(L.S.)

(Signed)

GEORGE MORRIS.
H. A. ROBINSON.

A.D. 1894.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Maryborough.

MARYBOROUGH WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Mountmelick Union (herein-
after called the sanitary authority), being the sanitary authority of the rural
sanitary district, consisting of the said Union, are about to construct water-
works for the purpose of providing a supply of water for the town of
Maryborough within their sanitary district, and have presented a petition to
the Local Government Board for Ireland (herein-after called the Local
Government Board) praying that they may be allowed to put in force the
powers of the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement with reference to certain lands and
premises required for the purposes of the said works.

And whereas the sanitary authority have deposited at the office of the
Local Government Board in Dublin, plans and a book of reference (herein-
after called the deposited plans and book of reference), showing the works
intended to be executed, and the lands and premises required for the said
works.

41 & 42 Vict.
c. 52.

And whereas all advertisements and notices required by the Public Health
(Ireland) Act, 1878, having been previously duly published, served, and
given, the Local Government Board have caused a local inquiry to be made
as to the propriety of assenting to the prayer of the said petition, and it
appears to the Local Government Board to be proper to assent thereto with
the conditions and modifications herein-after mentioned.

It is ordered by the Local Government Board as follows :—

Compulsory
powers to take
lands, &c.,
water rights,
and easements.

1. From and after the confirmation of this Order by Parliament, the
sanitary authority shall be empowered to put in force the powers of
the Lands Clauses Acts with respect to the purchase and taking of
lands otherwise than by agreement with reference to the lands,
easements, lands covered with water, and rights to take and convey
water, described and shown in the deposited plans and book of
reference, and for the purpose of this Order the word "land" in the
Lands Clauses Acts shall extend to and include the said lands, ease-
ments, lands covered with water, and rights to take and convey water.

Special pro-
vision for
supply of
water to the
Maryborough
Lunatic
Asylum.

2. Whereas the Governors of the Maryborough District Lunatic Asylum,
established in pursuance of the Act of the session of the first and
second years of the reign of His Majesty King George IV., chapter
thirty-three, and the sanitary authority are desirous that provision
shall be made by this Order enabling them to enter into a binding
agreement, obliging the said governors and their successors in office
to take and continuously pay for, and the sanitary authority to

provide by means of the said waterworks, a supply of water for the said asylum, it is further ordered that it shall be lawful for the said governors and the sanitary authority, to make agreements in writing, signed by three of the governors and their clerk, and sealed with the seal of the sanitary authority, to provide for a fixed daily supply of water for the purposes of the asylum, and the manner in which such supply shall be measured and ascertained; and such agreements shall bind the governors and their successors to pay to the sanitary authority a fixed annual sum for such supply (which said annual sum shall be provided for by presentment as part of the expenses of the maintenance of such asylum); and such agreements shall be made respectively binding on the governors in office at the time of the making thereof and on their successors.

A.D. 1894.

Maryborough.

5

10

3. The costs and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order, shall be paid by the sanitary authority as special expenses.

Costs of
Order.

4. The compulsory powers of taking lands given by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order.

Duration of
compulsory
powers.

20

5. This Order may be cited and referred to for all purposes as the Maryborough Waterworks Provisional Order, 1894.

Short title
of Order.

Given under our Hands and Seals of Office this twenty-fifth day of May,
in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.)

(Signed)

GEORGE MORRIS.
H. A. ROBINSON.

25

Local Government (Ireland) Provisional Orders (No. 14).

A

B I L L

To confirm two Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Urban Sanitary District of the Township of Kingstown and the Rural Sanitary District of Mountmelick.

*(Prepared and brought in by
Mr. John Morley and Sir John Hilbert.)*

*Ordered, by The House of Commons, to be Printed,
5 June 1894.*

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90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.

[Price 1d.]

[Bill 271.]

A

B I L L

TO

Confirm a Provisional Order of the Local Government Board, under the provisions of the Poor Law Act, 1889, and the Public Health Act, 1875, relating to the Metropolitan Asylum District. A.D. 1894.
—

WHEREAS the Local Government Board have made the Provisional Order set forth in the schedule hereto, under the provisions of the Poor Law Act, 1889, and the Public Health Act, 1875: 52 & 53 Vict.
c. 56.
38 & 39 Vict.
c. 55.

5 And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,
10 and by the authority of the same, as follows:—

1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. The Order
in schedule
confirmed.

2. The Managers of the Metropolitan Asylum District shall not purchase or acquire, either compulsorily or by agreement, in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, twenty or more houses included in the schedule to the said Order which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or except with the consent of the Secretary of State for the Home Department twenty or more houses which were not so Restriction
of power to
take houses
of labouring
class.

A.D. 1894. occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

Definition
of labouring
class.

For the purposes of this section the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but 5 working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

10

Short title.

3. This Act may be cited as the Local Government Board's Provisional Order Confirmation (Poor Law) Act, 1894.

SCHEDULE.

A.D. 1894.

Metropolitan
Asylum
District
Order.

METROPOLITAN ASYLUM DISTRICT.

Provisional Order to enable the Managers of the Metropolitan Asylum District to put in force the Compulsory Clauses of the Lands Clauses Acts.

5

To the Managers of the Metropolitan Asylum District ; —

And to all others whom it may concern.

WHEREAS the Managers of the Metropolitan Asylum District (herein-after referred to as “the Managers”) require to purchase and take the lands described
10 in the Schedule hereto, and which are adjacent to the asylum provided by the Managers in the North-Western District of the Metropolis, and known as the North-Western Fever Hospital, for the purpose of making additions to that asylum ;

And whereas the Local Government Board have, by an Order dated the
15 Eighth day of May, One thousand eight hundred and ninety-four, given the consent required by Section 5 of the Poor Law Act, 1889, to the purchase of the said lands by the Managers for the purpose aforesaid :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, by Section 5 of the
20 Poor Law Act, 1889, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall have effect ; viz,—

Art. I. The Managers shall be empowered to put in force, with reference to the lands described in the Schedule hereto, and for the purpose aforesaid, the
25 powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

Art. II. This Order may be cited as the Metropolitan Asylum District Order, 1894.

A.D. 1894.

Metropolitan
Asylum
District
Order.

The SCHEDULE above referred to.

Parish of SAINT JOHN, HAMPSTEAD, in the County of LONDON.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	
2	House and yard, No. 2, Lower Lawn Road, Hampstead.	The Ecclesiastical Commissioners.	F C Lund, E Stanfield, Thomas Henry Meynell, Louisa Vigurs.	Louisa Vigurs.	5
3	House and yard, No. 3, Lower Lawn Road, Hampstead.	ditto - -	F C Lund, E Stanfield, Thomas Henry Meynell, Julia Ann Medhurst.	Julia Ann Medhurst.	10
4	House and yard, No. 4, Lower Lawn Road, Hampstead.	ditto - -	F C Lund, E Stanfield, Thomas Henry Meynell, Arthur William Cooper.	—	15
5	House and yard, No. 5, Lower Lawn Road, Hampstead.	ditto - -	F C Lund, E Stanfield, Thomas Henry Meynell.	William Byng Andrews.	20

Given under the Seal of Office of the Local Government Board, this 25
Ninth day of May, One thousand eight hundred and ninety-four.

(L.3.)

G. SHAW-LEFEVRE, President.
HUGH OWEN, Secretary.

Local Government Provisional Order (Poor Law).

A

B I L L

To confirm a Provisional Order of the Local Government Board, under the provisions of the Poor Law Act, 1889, and the Public Health Act, 1875, relating to the Metropolitan Asylum District.

(*Prepared and brought in by
Sir Walter Foster, and Mr. G. Shaw-Lefevre.*)

*Ordered, by The House of Commons, to be Printed,
10 May 1894.*

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96, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.

[*Price 1d.*]

[Bill 232.]

Local Government (Scotland) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Extent of Act.

PART I.

Constitution of a Local Government Board for Scotland.

3. Establishment of Local Government Board for Scotland.
4. Constitution of Board.
5. Seal, style, acts, orders, and rules of Board.
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SCHEDULES.

A

B I L L

TO

Establish a Local Government Board for Scotland, and make further provision for Local Government in Scotland, and for other purposes. A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

- 5 **1.** This Act may be cited as the Local Government (Scotland) Act, 1894, and this Act, and the Local Government (Scotland) Act, 1889, (herein-after called the principal Act,) shall, except as otherwise provided by this Act, be construed as one Act, and may be cited together as the Local Government (Scotland) Acts. Short title.
52 & 53 Vict.
c. 50.
- 10 **2.** This Act shall extend to Scotland only. Extent of
Act.

PART I.—CONSTITUTION OF A LOCAL GOVERNMENT BOARD FOR
SCOTLAND.

- 15 **3.** A Board shall be established, to be called the Local Government Board for Scotland, (in this Act referred to as the Board), and from and after the establishment of such Board, the Board of Supervision, established by the Poor Law (Scotland) Act, 1845, shall cease to exist, and all the powers and duties vested in or imposed on the Board of Supervision by any Act of Parliament in force at the commencement of this Act, shall be vested in, transferred to, and
- 20 imposed on the Board, and, except as otherwise provided by this Act, shall be exercised and performed by the Board in like manner and subject to the same conditions, liabilities, and incidents respectively, as such powers and duties might before the commencement of this Act have been exercised and performed by the Board
- 25 of Supervision, or as near thereto as circumstances admit.

[Bill 202.]

A

A.D. 1894.
Constitution
of Board.

4.—(1.) The Board shall consist of a President, being the Secretary for Scotland, the Solicitor-General for Scotland, and the Under Secretary for Scotland, together with three appointed members, of whom one shall also be appointed Vice-President and Chairman of the Board, in the absence of the President, the second 5 shall be the sheriff of a sheriffdom in Scotland, and the third shall be a registered medical practitioner, who shall also be registered on the Medical Register as the holder of a diploma in sanitary science, public health, or State medicine, under section twenty-one of the Medical Act, 1886. 10

(2.) The appointed members shall be appointed by Her Majesty, on the recommendation of the Secretary for Scotland, at any time after the *passing of this Act*, and from time to time as vacancies occur, and shall receive out of moneys provided by Parliament such salaries as the Treasury may assign. They shall hold office during 15 Her Majesty's pleasure.

(3.) The Board shall be deemed to be established from and after the date of the first appointment of a Vice-President under this Act.

Seal, style,
acts, orders,
and rules
of Board.

5.—(1.) The Board may adopt an official seal, and describe themselves generally by the style and title of the Local Government 20 Board for Scotland, and any act to be done, or deed to be signed, or instrument to be executed, by or on behalf of the Board, may be done or signed or executed in the name of the Board by the President, or by any member of the Board, or by the secretary if such secretary is authorised to do, sign, or execute the same by 25 any general or special order of the Board.

(2.) A rule, order, or regulation made by the Board shall be valid if made under the seal of the Board, and signed by the President or Vice President or one of the *ex officio* members of the Board, and countersigned by the secretary; and a copy of such rule, order, 30 or regulation, signed and certified by the secretary of the Board, shall be evidence thereof in any court of law or justice.

(3.) It shall be lawful for the Board from time to time to make rules for conducting the business of the Board, and for exercising the powers and authorities thereof. 35

Transfer of
officers.

6.—(1.) The secretary and all officers, inspectors, clerks, and other persons employed at the *passing of this Act* in or about the execution of the powers and duties of the Board of Supervision, shall, from and after the establishment of the Board, be attached to and be under the control of the Board, and shall in other respects hold 40 their offices and places upon the same terms and conditions, and

have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed. A.D. 1894.

(2.) The Board may, by order, distribute the business to be performed under the Board amongst the several officers and persons transferred to the Board by this Act, in such manner as the Board may think expedient.

(3.) The Board may, with a view to the proper performance of the duties imposed upon them by this Act, appoint, in writing, such inspectors, clerks, and other officers, *with such salaries to be paid out of moneys provided by Parliament, as the Board may, with the sanction of the Treasury, determine.*

7. In the construction, and for the purposes of any Act of Parliament, contract, or other deed, passed, entered into, or executed before the establishment of the Board, the name of the Board shall be deemed to be substituted for the Board of Supervision, and any act or thing which might, if this Act had not passed, have been done by the Board of Supervision, may be done by the Board.

Construction of Acts and documents, and powers of Board.

After the establishment of the Board, all property belonging to or vested in, or held in trust for, the Board of Supervision shall pass to, and vest in, and be held in trust for, the Board, subject to all debts and liabilities affecting the same, and shall be held by the Board for the purposes for which it is now held, or would have been held if this Act had not passed.

PART II.—CONSTITUTION AND ELECTION OF PARISH COUNCILS.

8. A council, in this Act referred to as a parish council, shall be established in every parish.

Establishment of parish councils. Parish councils.

9.—(1.) The parish council shall consist of a chairman and councillors, and the number of councillors, including the chairman, shall be such (and in the case of a parish partly landward and partly burghal in such proportion for the landward and the burghal parts respectively) as may from time to time, with the approval of the Board, be fixed :—

(a.) In the case of landward parishes, by the county council ;
 (b.) In the case of burghal parishes, by the town council ; and
 35 (c.) In the case of parishes partly landward and partly burghal, by the county council and town council or councils jointly. In such case, failing agreement, the number shall be such and in such proportion as may be fixed by the Board.

(2.) Where the area of a landward parish, or of the landward part of a parish partly landward and partly burghal, includes the area of a police burgh or burghs, the county council shall, in fixing the

A.D. 1894. — number of parish councillors, consult, and take into consideration any representation made by the commissioners of such police burgh or burghs.

(3.) In fixing the number of parish councillors, regard shall be had to the powers and duties of the parish council under this Act, 5 and to the population and special wants and circumstances of the parish, and to the division of the parish into parish wards, if it is so divided.

(4.) The number of parish councillors for any parish shall be not fewer than six nor more than thirty. 10

Electing
body.

10.—(1.) Subject to the provisions of this Act, a parish council shall be elected by the following persons, in this Act referred to as parish electors, namely, the persons registered on the parish council register.

(2.) Each parish elector may at any poll for the election of a 15 parish council give one vote, and no more, for each of any number of candidates not exceeding the number to be elected.

(3.) A poll for the election of a parish council shall be taken by ballot.

Married
women not
disqualified.

11. A woman otherwise possessing the qualification for being 20 registered on any county council or municipal register of electors shall not after the *first day of January in the year one thousand eight hundred and ninety-five* be disqualified by marriage from being registered on a parish council register, provided that a husband and wife shall not both be qualified in respect of the same property. 25

Registration
of parish
electors.

12. With respect to the registration of parish electors, the following provisions shall have effect:—

(1.) A county council register shall be so framed and printed as that, in addition to the other requirements of the law, the county electors may be distinguished therein according to 30 parish wards, if and where a landward parish, or the landward part of a parish partly landward and partly burghal, is divided into parish wards.

(2.) A municipal register shall be so framed and printed as that, in addition to the other requirements of the law, the burgh 35 electors may be distinguished therein—

(a) according to parishes, if and where a burgh comprises two or more parishes or parts of two or more parishes; and

(b) according to parish wards, if and where a burghal parish 40 or the burghal part of a parish partly landward and partly burghal is divided into parish wards.

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—

(3.) Where the boundary of a burgh for municipal purposes extends beyond its boundary as ascertained, fixed, or determined for police purposes under the provisions contained in any general or local Act of Parliament, the assessor shall, in preparing the
5 municipal register, prefix a distinctive mark to the numbers or names of any municipal electors for the area which is without the police but within the municipal boundary, and the names of any such electors shall not be inserted by the town clerk in the copy of the register provided for by this section, and such electors shall not be
10 entitled to vote as parish electors in respect of their qualification as municipal electors, but may vote as parish electors within a county if registered as county electors on the county council register.

(4.) In the year *one thousand eight hundred and ninety-five* and
15 subsequent years, the assessors charged with the preparation of the county council and municipal registers respectively shall prepare separate lists of such married women as are not entitled to be registered on such registers, but are entitled under this Act to be registered on a parish council register. Such separate lists shall for the
20 purposes of this section be held to be part of the county council and municipal registers respectively, and shall be dealt with accordingly.

(5.) From time to time, as soon as a county council or municipal register is completed, the county clerk or town clerk,
25 as the case may be, shall furnish to the clerks of the several parish councils of parishes wholly or partly within the county or burgh a certified copy of so much of such register as relates to their respective parishes, and such copy or copies, so far as relating to a parish, shall constitute the parish council register for
30 the parish.

13.—(1.) The landward part and the burghal part of a parish partly landward and partly burghal shall respectively be parish
wards or shall respectively be divided into two or more parish
wards of the parish. Parish
wards.

35 (2.) A police burgh or any part thereof so far as within a parish shall be a parish ward, or shall be divided into two or more parish wards of the parish.

(3.) A county council, on being satisfied that within the county different portions of the population of any landward parish, or of any
40 landward part of a parish partly landward and partly burghal, are so situated or have such interests as to make it desirable that they should be separately represented on the parish council, may from

A.D. 1894. time to time resolve and, by order under their seal, determine that such parish, or landward part of a parish, be divided into such and so many parish wards as they may deem expedient, and shall, in making such division, have due regard to the existing division of the county into county council electoral divisions, and shall in such order 5 designate each parish ward, and define its boundaries, and assign the number of parish councillors to be elected by the parish electors therein.

(4.) The town council of a burgh which is for the time being divided into municipal wards may, if they think fit, from time to 10 time resolve, and by order under their seal determine that any parish or burghal part of a parish within the burgh be divided into such and so many parish wards as they may deem expedient, and shall, in making such division, have due regard to the existing 15 division of the burgh into municipal wards, and shall in such order designate each parish ward and define its boundaries, and assign the number of parish councillors to be elected by the parish electors therein.

(5.) Section eleven of the Burgh Police (Scotland) Act, 1892, shall be construed to include, and shall include, the division into 20 wards, and the revision, alteration, extension, or contraction of the boundaries of the wards, of a burgh, for parliamentary and municipal as well as for police purposes, and that, whether an application has been made for the revision of the boundaries of the burgh or not, provided that any such revision, alteration, extension, or con- 25 traction shall not affect the boundaries of any division of such burgh for the purpose of returning a member to serve for such division in Parliament. In this sub-section the expression "burgh" includes police burgh.

(6.) Any county council or town council respectively may by 30 order under their seal in terms of the foregoing sub-sections revoke or modify any previous order, or, within the county or burgh, cancel or alter any division of a parish into wards in force at the commencement of this Act, but every such division shall, so far as consistent with the provisions of this Act, remain in force until so 35 cancelled or altered.

(7.) A copy of every order made under this section shall be transmitted to the Board within *seven days* after it is made.

(8.) In a parish divided into parish wards, the parish councillors for each parish ward shall be separately elected. 40

Regulations
as to election
of parish

14. With respect to the second and subsequent elections of parish councillors for a landward parish, or for the landward part

of a parish partly landward and partly burghal, the following provisions shall have effect:—

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councillors
in landward
parish, &c.

- (1.) The election of such parish councillors shall take place in every *third* year, beginning with the year *one thousand eight hundred and ninety-five*, on the same day and, as nearly as may be, in the same manner, in the same places, and with the same returning and presiding officers and clerks, as the election of county councillors for the county in which such parish or part of a parish, as the case may be, is situated, or if there is a contested election for parish councillors, but there is no contested election for county councillors in the county council electoral division or divisions corresponding to such parish or part of a parish, as the case may be, as if there were a contested election for county councillors in such electoral division or divisions.
- (2.) The expenditure incurred in the election of such parish councillors shall be defrayed as if it were expenditure incurred in the election of county councillors.
- (3.) From and after such second election, the term of office of such parish councillors shall be *three years*, and in every *third* year the whole number of such parish councillors shall go out of office, and their places shall be filled by election.
- (4.) The enactments regulating the election of county councillors shall, with the necessary variations and subject to the provisions of this Act, extend and apply to the election of such parish councillors.
- (5.) If in any case such parish, or part of a parish, is situated in more counties than one, the provisions of this section shall apply with the necessary variations and subject to such regulations as may be made by any order of the Board, and such regulations shall have effect as if they were contained in this Act.
- (6.) It shall be the duty of the county council of every county to make due provision for the election of such parish councillors.
- (7.) A county council may refer to the Board any question that may arise as to the performance of the duty of such county council under this section, and the determination of the Board, as signified by order thereon, shall be final.

15. With respect to the second and subsequent elections of parish councillors for a burghal parish, or for the burghal part of a parish partly landward and partly burghal, the following provisions shall have effect:—

Regulations
as to election
of parish
councillors
in burghal
parish, &c.

- (1.) The election of such parish councillors shall take place in every *third* year, beginning with the year *one thousand eight*

A.D. 1894.

hundred and ninety-five, on the same day and, as nearly as may be, in the same manner, in the same places, and with the same returning and presiding officers and clerks, as the election of town councillors for such burgh, or if there is a contested election for parish councillors, but there is no contested election for 5 town councillors in such burgh or in any ward thereof (if it is divided into wards), as if there were a contested election for town councillors in such burgh, or in a ward or wards thereof.

- (2.) The expenditure incurred in the election of such parish councillors, as ascertained and apportioned by agreement 10 between the town council and the parish council or councils concerned, or, failing agreement, by order of the Board, shall be a charge upon the poor rate levied in such burghal parish or part of a parish respectively, and shall be paid to the town council by such parish council or councils. 15

- (3.) From and after such second election the term of office of such parish councillors shall be *three years*, and in every *third* year the whole number of such parish councillors shall go out of office, and their places shall be filled by election.

- (4.) The enactments regulating the election of town councillors 20 shall, with the necessary variations and subject to the provisions of this Act, extend and apply to the election of such parish councillors.

- (5.) If in any case the burghal part of a parish is situated in more burghs than one, the provisions of this section shall apply 25 with the necessary variations, and subject to such regulations as may be made by any order of the Board, and such regulations shall have effect as if they were contained in this Act.

- (6.) It shall be the duty of the town council of every burgh to make due provision for the election of such parish 30 councillors.

- (7.) A town council may refer to the Board any question that may arise as to the performance of the duty of such town council under this section, and the determination of the Board, as signified by order thereon, shall be final. 35

Notice of
election and
nomination
papers, &c.

16. The enactments by the principal Act or this Act applied to the election in a county of county councillors and of parish councillors, shall, for the purposes of such election, be construed or amended so as to incorporate the following provisions, which are hereby enacted, that is to say:— 40

- (1.) The notice of election shall be given by the returning officer not later than *four* o'clock afternoon on the third Tuesday

A.D. 1894.

preceding the day of election, and the nomination papers shall be lodged with the returning officer at any time not later than *four o'clock* afternoon on the second Tuesday preceding the day of election; and sub-section four of section thirty of the principal Act is hereby repealed.

(2.) Any intimation made to a returning officer of the nomination of a candidate for election shall be competently withdrawn by giving notice of withdrawal to the returning officer not later than *four o'clock* afternoon on the Tuesday immediately preceding the day of election, and such notice of withdrawal shall either be signed by the person nominated and by his proposer or seconder, or be signed by both his proposer and seconder, provided that no such withdrawal shall be competent when its effect would be to reduce the total number of persons nominated for such election in a county electoral division or parish or parish ward below the number necessary to supply the vacancies to be filled up.

17.—(1.) A returning officer shall make and publish such arrangements as he shall think fit for the purpose of enabling nomination papers for the election of parish councillors and notices of withdrawal to be obtained, and when filled up to be received and dealt with at some place within or adjoining the parish, and for that purpose may, by writing under his hand, delegate such of his powers as he shall think necessary to the inspector of the poor of the parish or other fit person.

Duties of returning officer.

(2.) The returning officer or officers, as the case may be, shall after an election give intimation in writing forthwith to the inspector of the poor of the parish of the persons elected as parish councillors, and the said inspector shall in each year by notice in writing to each parish councillor, summon the December meeting of the parish council. The notice shall state the hour and place of meeting.

(3.) A nomination paper shall be competently signed by any two parish electors entitled to vote for the candidate nominated.

(4.) The intimation of nomination, and notice of withdrawal respectively, may be in the form of the Second and Third Schedules to this Act annexed.

18. If a parish council are not elected at the time at which they ought to be elected, or become unable to act by reason of deficiency in the number of councillors, whether from failure to elect or otherwise, the Board may order a new election of parish councillors, and shall by order make such provision as seems expedient for authorizing any person to act temporarily in the place of the parish

Supplemental provision as to elections.

A.D. 1894.

council and of the chairman thereof. If two candidates receive an equal number of votes, and only one can be elected, the returning officer shall have a casting vote.

Office of
parish
councillor
and regu-
lations re-
garding
parish
council.

19.—(1.) A parish council shall be elected from among the parish electors, or persons who have, during the *twelve months* next 5 preceding the election, resided in the parish, or within three miles thereof, and who are of lawful age, and not subject to any legal incapacity.

(2.) A parish council may, subject to the provisions of this Act, from time to time make, vary, and revoke such regulations as they think 10 fit with respect to the summoning notice, time, place, and management of their meetings, or of the meetings of any committee of the council and generally with respect to the conduct of their business. A parish council may, with the consent of the Board, appoint a clerk; but failing such appointment the inspector of the poor of the parish 15 may act as clerk of the parish council, and where no clerk is appointed, any reference in this Act to the clerk of the parish council shall be deemed to include a reference to the inspector of the poor of the parish.

(3.) The quorum of a parish council shall be one-fourth of the 20 whole number of the council, but shall in no case be less than three.

(4.) A casual vacancy in a parish council caused by death, resignation, or disqualification shall, as soon as practicable, be filled by the parish council, but the person filling any such vacancy 25 shall hold office so long only as the vacating councillor would have retained the same if such vacancy had not occurred.

(5.) The parish council shall elect a chairman from their own number who shall have a casting as well as a deliberative vote.

(6.) The term of office of such chairman shall be not longer 30 than *one year*, and his place shall be filled by election at a meeting of the parish council, in this Act referred to as the December meeting, to be held in each year after the year one thousand eight hundred and ninety-four on any lawful day within *ten* days after the *first Tuesday* in the month of *December*. If an equal 35 number of votes is given for two or more persons, the parish council shall determine by lot which of these persons shall be chairman.

(7.) A casual vacancy in the office of chairman caused by death, resignation or disqualification, shall, as soon as practicable, be filled by the parish council, but the person filling such vacancy 40 shall retain office so long only as the vacating chairman would have retained the same if such vacancy had not occurred.

(8.) The representative from a parish council on a district committee of a county council shall be a parish councillor, and shall be appointed annually at the December meeting of the parish council. A.D. 1894.

20.—(1.) A person shall be disqualified for being elected, and for being, a member of a parish council, if and while he— Disqualification for parish councils.

(a) holds any office or place of profit under the parish council or any committee thereof, or

(b) has directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by, or on behalf of, the parish council or any committee thereof. But a person shall not be disqualified, or be deemed to have any share or interest in such a contract or employment, by reason only of his having any share or interest in

(c) any lease, sale, or purchase of land, or any agreement for the same; or

(d) any agreement for the loan of money, or any security for the payment of money only; or

(e) any newspaper in which any advertisement relating to the affairs of the parish council or any committee thereof is inserted; or

(f) any company which contracts with the parish council, or any committee thereof, for lighting or supplying with water, or insuring against fire, any property of the parish council; or

(g) any railway company or any company incorporated by Act of Parliament or Royal Charter, or under the Companies Acts 1862 to 1890.

(3.) No person shall be disqualified by sex or marriage for being elected, or being, a member of a parish council, or for being appointed a representative of that council on a district committee of a county council.

PART III.—POWERS AND DUTIES TRANSFERRED TO PARISH COUNCILS.

21.* On and after the *eleventh day of December in the year one thousand eight hundred and ninety-four*, all enactments regulating the constitution and election of parochial boards shall be repealed, and the parochial board of any parish shall continue to hold office only until the said day, and no longer; and on and after such day, every reference in any Act of Parliament, scheme, deed, or instrument to a parochial board constituted under the law in force at the *passing of this Act*, shall be read and construed as referring to a parish council constituted under this Act. Parochial boards to cease.

A.D. 1894.

Parish
councils to
take the
place of
parochial
boards.

22. A parish council shall, subject to the provisions of this Act, come in place of a parochial board constituted as at the *passing of this Act*, and shall be deemed to be a continuance thereof, and shall have and may exercise all the powers and duties, and shall be subject to all the liabilities thereof, and all the provisions of any Act of 5 Parliament in force at the passing of this Act relating to or dealing with the powers and duties of parochial boards, and the appointment, powers, and duties of their officers in so far as not inconsistent with this Act, shall subsist and have effect.

PART IV.—NEW POWERS CONFERRED UPON PARISH COUNCILS IN 10
LANDWARD PARISHES AND LANDWARD PARTS OF PARISHES.

Certain
parish
councils to
appoint
landward
committees.

23.—(1.) In this Part of this Act the expression parish council does not include the parish council of a burghal parish.

(2.) For the purpose of exercising and performing the powers and duties conferred and imposed by this Part of this Act, the 15 parish council of a parish which—

(a) is partly landward and partly burghal; or

(b) comprises a police burgh or part of a police burgh, shall (except as herein-after provided) appoint annually, at their December meeting, a committee, in this Act referred to as the 20 landward committee, which shall in every case consist of the whole number of parish councillors for such parish, excepting only the councillors representing the burghal part of the parish, or such police burgh, or part of a police burgh; and, in the case of such parishes, the powers (except the power to raise 25 money by rate or loan), and duties conferred and imposed on a parish council by this Part of this Act, shall be exercised and performed by the landward committee, which for such purpose shall be deemed to be the parish council of the parish, and may sue and be sued accordingly. For such purpose, such burghal 30 part and such police burgh or part of a police burgh, shall be deemed to be without such parish, and shall not be rated by the parish council.

(3.) A landward committee may exercise and perform their powers and duties under this Part of this Act without reference to and 35 without the approval of the parish council.

(4.) Where the population of the landward part of a parish partly landward and partly burghal, exclusive of any police burgh or part of a police burgh comprised therein, does not exceed one hundred, the Board may, on the application of 40 the parish council, by order provide that a landward committee

shall not, so long as the order remains in force, be appointed in terms of this section by such parish council, and so long as the order remains in force, the powers and duties conferred and imposed by this part of this Act shall not be exercised or
5 performed in respect of such parish.

24.—(1.) In addition to any powers conferred or transferred by other parts of this Act, a parish council shall have the following powers, namely, power—

A.D. 1894.
—
Additional
powers of
parish
councils.

- 10 (a) to provide or acquire buildings for public offices and for meetings or other public purposes; and
- (b) subject to the consent of the district committee, or, where the county is not divided into districts, of the county council, to provide, maintain, lay out, and improve grounds for public recreation; and
- 15 (c) to provide or acquire land for such buildings or recreation grounds; and
- (d) to acquire by agreement any right of way, whether within the parish or in an adjoining parish, the acquisition of which is beneficial to the inhabitants of the parish or of any part
20 thereof; and
- (e) for the foregoing purposes to accept and hold any gifts of property for the benefit of the parish; and
- (f) to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of
25 any of the foregoing powers, or in relation to any property of the parish council; and
- (g) to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council, or other authority or person, to do or contribute towards
30 the expense of doing, any of the things above mentioned.

(2.) A parish council may let, sell, or exchange any land or buildings provided or acquired under this Part of this Act, and vested in the council, but the power of letting for more than a year, and the power of sale or exchange shall not be exercised
35 without the consent of the Board in the case of property which has been acquired at the expense of any rate.

(3.) With a view to the due enforcement of the provisions of the Public Health Acts, a parish council shall have and may exercise, within, or in respect to, the parish the same powers as are conferred
40 upon any two householders by section ninety-six of the Public Health (Scotland) Act, 1867, and upon any five ratepayers by section seventeen of the principal Act, and upon a county council by section fifty-three of the principal Act.

30 & 31 Vict.
c. 101.

A.D. 1894.
Powers for
acquisition
of land.

25.—(1.) For the purpose of the acquisition of land by a parish council, the Lands Clauses Acts shall be incorporated with this Act, except the provisions of these Acts relating to the purchase and taking of land otherwise than by agreement.

(2.) If a parish council are unable to acquire by agreement, and 5 on reasonable terms, suitable land for any purpose for which they are authorised and desire to acquire it, they may make a representation to the county council, and the county council shall inquire into the representation.

(3.) If on any such representation, a county council are satisfied 10 that suitable land for the purpose of the parish council cannot be acquired on reasonable terms by voluntary agreement, and that the circumstances are such as to make it proper that the county council should proceed under this section, they shall publish once at the least in each of two consecutive weeks in some newspaper circulating 15 in the locality, an advertisement stating shortly the purpose for which the land is proposed to be taken, mentioning a place at which a plan of the proposed works, if any, may be seen at reasonable hours, and stating the quantity of land that is required. Thereafter they shall cause public inquiry to be made in the 20 parish, and notice to be given, both publicly in the parish and severally to the owners, lessees, and occupiers of the land proposed to be taken, either by delivery at, or by post in a registered letter addressed to, the usual or last known place of abode of such owners, lessees, and occupiers, and all persons whose interests 25 would be affected shall be permitted to attend at the inquiry, and to support or oppose the taking of the land.

(4.) After the completion of the inquiry, and after considering all objections made by any persons whose interests would be affected, the county council may make an order for putting in force, 30 with respect to the said land or any part thereof, the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(5.) If in any case the county council refuse to make such order, the parish council may appeal to the Board, and the Board after local 35 inquiry may, if they think proper, make the order, and this section shall apply as if the order had been made by the county council. Any order made under this sub-section overruling the decision of the county council shall be laid before Parliament.

(6.) A copy of any order made under this section shall be served 40 by the county council in the manner in which and upon the person or persons upon whom notices in respect of such land are

A.D. 1894.
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herein-before required to be served, together with a statement that the order will become final and have the effect of an Act of Parliament, unless within a period of *one month* after such service, a memorial by some person whose interests would be affected is presented to the Board, praying that the order shall not become law without further inquiry.

(7.) The order shall be deposited with the Board, who shall inquire whether the provisions of this section have been in all respects complied with; and if the Board are satisfied that this has been done, then, after the expiration of the said period of *one month*—

(a.) If no memorial has been presented, or if every such memorial has been withdrawn, the Board shall without further inquiry confirm the order :

(b.) If a memorial has been presented, the Board shall proceed to hold a local inquiry, and shall, after such inquiry, either confirm, with or without amendment, or disallow the order :

(c.) Upon any such confirmation, the order, and if amended, as so amended, shall become final, and have the effect of an Act of Parliament, and the confirmation by the Board shall be conclusive evidence that the order has been duly made, and is within the powers conferred by this Act, and that the requirements of this Act have been complied with.

(8.) Where the Board are authorised, or required, to make any inquiry under this section, they may cause such inquiry to be made by any inspector or officer of the Board, or by any other person specially nominated in writing by the Board, and such inspector or officer or person shall be entitled to summon witnesses, and examine them on oath, and to call for the production of books, documents, and accounts. The costs incurred in such inquiry, including the remuneration of any person specially nominated to hold the same, not exceeding *three guineas* a day, shall be paid by the county councils and other authorities concerned in such inquiry, or by such of them and in such proportions as the Board may direct, and the said Board may certify the amount of the costs incurred, and any sum so certified shall be a debt to the Board from the county council or authority directed to pay the same.

(9.) The order shall be carried into effect by the county council.

(10.) Any order made under this section for the purpose of the purchase of land otherwise than by agreement, shall incorporate the Lands Clauses Acts, and sections seventy to seventy-eight (both inclusive) of the Railway Clauses (Scotland) Consolidation Act,

A.D. 1894. 1845, with any adaptations which may be prescribed by general order of the Board : provided that—

(a.) Any question of disputed compensation shall be referred to the arbitration of a sole arbiter appointed by the parties, or if the parties do not concur in the appointment of a sole 5 arbiter then, on the application of either of them, by the Board, and the remuneration to be paid to the arbiter appointed by the Board shall be fixed by the Board. An arbiter appointed under this sub-section shall be deemed to be an arbiter within the meaning of the Lands Clauses Acts, and 10 the provisions of these Acts with respect to an arbitration shall apply accordingly ; and the arbiter shall, notwithstanding anything in the said Acts, determine the amount of the expenses in the arbitration, and such determination shall be final ; and 15

(b.) In determining the amount of disputed compensation, the arbiter shall not make any allowance in respect of the purchase being compulsory.

(11.) At any inquiry or arbitration held under this section, the person or persons holding the inquiry or arbitration, shall hear any 20 authorities or parties whose interests would be affected, by themselves or their agents, and may hear witnesses, but shall not, except with consent of the Board, hear counsel or expert witnesses.

(12.) A person holding a public inquiry for the purposes of this section on behalf of the county council, shall have the same powers 25 as, and may receive remuneration not exceeding that payable to, a person specially nominated by the Board to hold such an inquiry under this section.

(13.) The county council or Board, as the case may be, shall not make any order for purchasing any park, garden, pleasure ground, 30 or other land required for the amenity or convenience of any dwelling-house, or any land the property of a railway company or canal company which is or may be required for the purposes of their undertaking.

(14.) The county council or Board, as the case may be, shall in 35 making an order for purchasing land, have regard to the extent of land held in the neighbourhood by any owner, and to the convenience of other property belonging to the same owner, and shall, so far as is practicable, avoid taking an undue or inconvenient quantity of land from any one owner. 40

(15.) Any land acquired under this section shall be vested in the parish council.

(16.) The expenses of a county council incurred under this section shall be defrayed by the parish council. A.D. 1894.

(17.) The Board shall, in their annual report, include a statement of any proceedings under this section.

Leasing of
land for
allotments.

5 26.—(1.) A parish council shall have power to take land on lease for allotments, and if they are satisfied that allotments are required, and are unable to obtain on lease by agreement on reasonable terms suitable land for allotments, they shall represent the case to the county council, and the county council may, 10 subject to the restrictions in this section, make an order authorising the parish council to take on lease compulsorily for allotments, for a period of not less than *fourteen years* nor more than *thirty-five years*, such land in or near the parish as is specified in the order, and the order shall, as respects confir- 15 mation and otherwise, be subject to the like provisions as if it were an order of the county council made under the last preceding section of this Act, and that section shall apply as if it were herein re-enacted with the substitution of taking on lease for purchase, and with the other necessary modifications.

20 (2.) A single arbiter, who shall be appointed in accordance with the provisions of the preceding section, and to whom the provisions of that section shall apply, shall have power to determine any question—

- (a) as to the terms and conditions of the proposed lease; or
- 25 (b) as to the amount of compensation for severance; or
- (c) as to the compensation payable to any tenant upon the determination of his tenancy; or
- (d) as to the apportionment of the rent between the land taken by the parish council and the land retained by the tenant; or
- 30 (e) as to any other matter incidental to the taking on lease of the land by the council, or the surrender thereof at the end of their tenancy;

but the arbiter, in fixing the rent, shall not make any allowance in respect of the lease being compulsory.

35 (3.) Any compensation awarded to a tenant in respect of any depreciation of the value to him of the residue of his holding caused by the withdrawal from the holding of the land taken on lease by the parish council, shall, as far as possible, be provided for by taking such compensation into account in fixing, as the case may require, 40 the rent to be paid by the parish council for the land taken on lease by them, and the apportioned rent, if any, to be paid by the tenant for that portion of the holding which is not taken on lease by the parish council.

A.D. 1894.

(4.) The award of the arbiter, or a copy thereof, together with a report signed by him as to the condition of the land taken by the parish council, shall be deposited and preserved with the public books and papers of the parish council.

(5.) Save as herein-after mentioned, sections five to eight of the Allotments (Scotland) Act, 1892, shall apply to any allotment taken on lease by a parish council in like manner as if that council were the local authority and also the allotment managers :

Provided that the parish council—

(a) may let to one person an allotment or allotments exceeding one acre, but, if the land is taken on lease compulsorily, not exceeding in the whole four acres of pasture or one acre of arable and three acres of pasture ; and

(b) may permit to be erected, on the allotment, any stable, byre, or barn ; and

(c) shall not break up, or permit to be broken up, any permanent pasture, without the assent in writing of the landlord.

(6.) On the determination of any tenancy, created by a compulsory lease, a single arbiter who shall be appointed in accordance with the provisions of the last preceding section and to whom the provisions of that section shall apply, shall have power to determine the amount due by the landlord for compensation for improvements, or by the parish council for depreciation.

(7.) The order for compulsory taking on lease may apply, with any adaptations which may be prescribed by general or special order of the Board, such of the provisions of the Lands Clauses Acts, (including those relating to the acquisition of land otherwise than by agreement), as appear to the county council or Board sufficient for carrying into effect the order, and for the protection of the persons interested in the land and of the parish council.

(8.) Nothing in this section shall authorise the compulsory taking on lease of any mines or minerals, or confer the right to take, sell, or carry away, any gravel, sand, or clay, or authorise the taking on lease of any land which is already owned or occupied as a small holding within the meaning of the Small Holdings Act, 1892.

55 & 56 Vict.
c. 31.

(10.) If the land hired under this section shall at any time, during the tenancy thereof by the parish council, be shown to the satisfaction of the county council to be required by the landlord for the purpose of working and winning the mines, minerals, or surface minerals thereunder, or for any road or work to be used in connexion with such working or winning, it shall be lawful for the landlord of such land to resume possession thereof upon giving to the parish council *twelve* calendar months previous notice in writing

A.D. 1894.

of his intention so to do, and upon such resumption, the landlord shall pay to the parish council and to the allotment holders of the land for the time being, such sum by way of compensation for the loss of such land for the purposes of allotments as may be agreed upon by the landlord and the parish council, or in default of such agreement, as may be awarded by a single arbiter, who shall be appointed in accordance with the provisions of the last preceding section and to whom the provisions of that section shall apply.

The word "landlord" in this sub-section means the person for the time being entitled to receive the rent of the land taken on lease by the parish council.

(11.) The Board shall, in their annual report, include a statement of any proceedings under this section.

27.—(1.) A parish council may for any one or more of the purposes of this Part of this Act, (including any annual charge, whether of principal or interest, in respect of any loan), levy within the parish a rate, in this Act referred to as the special parish rate.

Special
parish rate
may be
levied.

(2.) Such special parish rate shall, subject to the provisions of this Act, be levied and collected along with, and as an addition to, the poor rate, and with the same remedies and modes of recovery, but in the demand note the special parish rate shall be separately set forth and demanded.

(3.) In parishes in which powers and duties are exercised and performed under this part of this Act by a landward committee, such landward committee shall annually and not later than the *thirtieth day of September* in each year, certify to the parish council the amount, if any, required to be provided by means of a special parish rate, and the parish council shall, as soon as may be, pay to the landward committee such amount, or the produce of such rate as the case may be.

28.—(1.) A parish council, acting under this Part of this Act, may, for any of the following purposes, that is to say—

Borrowing
by parish
council.

(a) for purchasing any land, or erecting any buildings, which they are authorised to purchase or erect; and

(b) for any permanent work or other thing which they are authorised to execute or do, and the cost of which ought, in the opinion of the Board, to be spread over a term of years;

borrow money, with the consent of the finance committee of the county council.

(2.) In parishes where powers and duties under this Part of this Act are exercised and performed by a landward committee, it shall

A.D. 1894. be the duty of the parish council to transmit to the finance committee of the county council, any recommendation of the landward committee for the raising of a loan in terms of this section; and, provided the necessary consent be given, to raise the loan accordingly. 5

(3.) Any loan under this Part of this Act shall be made on the security of the special parish rate.

(4.) A county council may lend to a parish council any money which the parish council are authorised to borrow under this Part of this Act, and may, if necessary, raise the money by loan. 10

(5.) A loan raised by a parish council under this section shall be repaid—

(a) if for the purchase of land or the erection of buildings, within such period not exceeding *forty years*; and

(b) if for any other purpose, within such period not exceeding *thirty years* 15

as the finance committee of the county council may determine in each case.

(6.) A parish council shall pay off every loan under this section, either by equal yearly or half yearly instalments of principal, or of principal and interest combined, or by means of a sinking fund set 20 apart, invested and applied in accordance with regulations which may from time to time be made, in that behalf, by the Secretary for Scotland.

Parish
rights of
way.

29. The consent of the parish council shall be required for the shutting up of a public right of way within the parish, or beneficial to any of the inhabitants of the parish, and the parish council shall give public notice of a resolution to grant any such consent, and in the event of such resolution being passed, it shall not operate unless and until it is confirmed by the parish council at a meeting held 30 not less than *two months* after the public notice is given.

Public pro-
perty and
charities.

30.—(1.) When trustees hold any property for the benefit of the inhabitants of a parish or any of them, or for any public purpose connected with a parish other than—

(1) for an ecclesiastical charity; 35

(2) for an educational endowment within the meaning of the Educational Endowments (Scotland) Act, 1882; or

(3) for the use or benefit of the poor of the parish within the meaning of sections fifty-two and fifty-three of the Poor Law (Scotland) Act, 1845; 40

they may transfer the property to the parish council of the parish, or to persons to be from time to time appointed by that council, and

the parish council, if they accept the transfer, or persons whom they appoint, shall hold the property on the trusts and subject to the conditions on which the trustees hold the same. A.D. 1894.
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(2.) In the event of any such property not being transferred to the parish council under and subject to the provisions of the preceding sub-section, the parish council of the parish concerned may from time to time appoint such number of additional persons to act along with the trustees of the said property, as may be approved by the Board in each case.

(3.) Where the trustees of any such property are the kirk session, or the heritors and kirk session, of any parish to the number, whether alone or conjoined with others, of not less than six persons, the said trustees shall from time to time appoint certain of their number, not exceeding three, and the parish council of the parish shall from time to time appoint such number of additional persons as the Board may in each case approve, to act together in the management of the said property, and such management shall be transferred to them as a committee of management accordingly, and the committee of management shall, as soon as may be, prepare a scheme for the management of the said property, which they shall report to the Board, and the Board may by order approve or disapprove thereof, or make such alterations thereon as they may determine, and thereafter such scheme shall have effect.

(4.) The Board may by order prescribe rules (1) as to the form in which the accounts of any property dealt with in this section shall be kept, and (2) as to the publication of the said accounts.

(5.) Whilst a person is trustee of any property or revenues falling within the provisions of this section, he shall not, nor shall his wife or any of his children, receive any benefit therefrom.

PART V.—SUPPLEMENTAL.

31. The parish electors and the parish council shall be entitled to use, free of charge, at all reasonable times, except during ordinary school hours, and after reasonable notice, for any purpose under this Act, or under the Poor Law (Scotland) Act, 1945, the Education (Scotland) Acts, 1872 to 1883, or the principal Act, including the candidature of any person for the county council or the parish council, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate or assessment. Use of
schoolrooms.

A.D. 1894. Provided that this enactment shall not authorise the use of any room used as part of a private dwelling-house.

Provided also that any expense reasonably incurred by the person or persons having control over the room, or any damage done to the room or its contents in consequence of its being so used shall be 5 defrayed by such parish electors or the parish council, as the case may be, but when the meeting is called for the purposes of any candidature, such expense, or such damage, shall be paid by the person or persons calling the meeting.

Incorporation of parish council.

32. Every parish council elected in pursuance of this Act, shall 10 be incorporated under the name of the parish council of the parish, with power to sue and be sued, and shall have perpetual succession.

Committees of parish councils.

33. In addition to any committee, which they may by this Act be required to appoint, a parish council may from time to time appoint, from their own number, committees for the exercise of any powers 15 which can properly be exercised by committees, and no committee of a parish council shall hold office beyond the next December meeting of the council following its appointment, and the acts of every committee of a parish council shall be submitted to the council for their approval, unless this or any other Act makes provision to the 20 contrary, provided that a parish council shall not delegate to a committee any power of raising money by rate or loan.

Appointment of joint committees.

34. Any parish councils, or parish councils and county councils or town councils or burgh commissioners, may, from time to time, join in appointing, out of their respective bodies, a joint committee 25 for any purpose of this Act in which they are jointly interested, and the provisions of section seventy-six of the principal Act, with regard to the appointment and powers of joint committees of county councils, or of county councils and town councils, shall, with the necessary variations, apply to joint committees appointed 30 under this section.

Parish accounts.

35.—(1.) (a.) All receipts of a parish council relating to or arising out of powers transferred to them by Part III. of this Act shall be carried to a general parish fund ; and

(b) all receipts of a parish council or landward committee in 35 relation to or arising out of powers conferred upon them by Part IV. of this Act shall be carried to a special parish fund ; and

(c.) all payments in relation to or arising out of the said powers respectively shall be made out of the said funds respectively.

A separate bank account shall be kept for each fund. The Board 40 may make rules as to the method in which payments shall be made by a parish council and by a landward committee.

(2.) A parish council and a landward committee shall keep such accounts of the above-mentioned funds, and of the sums raised by rates, as will prevent a rate from being applied to any purpose to which it is not properly applicable. The Board may prescribe 5 forms in which such accounts shall be kept. A.D. 1894.

36. The provisions contained in the principal Act, with respect to the making up and auditing of the accounts of a county council shall, with the substitution of "parish council" for "county council" and "clerk of the parish council" for "county clerk," and 10 "parish" for "county" or "burgh," and "the Board" for "the Secretary for Scotland," apply to the making up and auditing of the accounts of a parish council, subject to the following provisions, that is to say :

(1.) The accounts of the parish council shall be audited by the 15 county auditor appointed under the principal Act.

(2.) The parish council may determine the place which shall be deemed to be the offices of the council for the purposes of the audit.

(3.) The Board may prescribe a scale for the remuneration of 20 county auditors in respect of their duties under this section.

37. At a meeting in the month of *October* in each local financial year every parish council shall cause to be submitted to them the estimates of the receipts and expenditure of such council, including those of a landward committee or other committee thereof, 25 during that financial year, whether on account of property, contributions, rates, loans, or otherwise, and shall revise such estimates (other than those of any landward committee), and authorise such expenditure and make such provision for meeting the same, as they shall approve. Local annual budget.

38.—(1.) If and so long as the amount of loans owing by any parish council for the time being exceeds *one-fifth* of the annual value of the lands and heritages within such parish as ascertained for the purposes of the Poor Law (Scotland) Act, 1845, no further loan, other than a temporary loan in terms of section eighty-nine of 35 the said Act, shall be raised by such parish council without the consent of the Board. Borrowing by parish councils.

(2.) Where money has been borrowed by a parish council, or by a parochial board, the parish council shall, until the loan has been extinguished, within *twenty-one days* after the expiration of each 40 local financial year, transmit to the Secretary for Scotland a return in such form, and verified in such manner, as he may from time to time prescribe, showing the amount of the loan still outstanding,

A.D. 1894. and the steps which have been taken to comply with the provisions of this or any other Act in regard to its payment and discharge.

Duty of Board and of county and town councils to bring Act into operation.

39.—(1.) It shall be the duty of the Board, and of every county council and town council, to exercise all powers which may be requisite for bringing this Act into full operation as soon as 5 may be after the passing thereof.

(2.) Where the Board are authorised or required by any Act to make or confirm any order, rule, or regulation, or to give any consent, sanction, or approval, or otherwise to act, they may cause a local inquiry to be held in terms of sub-section eight of section 10 twenty-five of this Act, and the provisions of that sub-section shall apply accordingly.

Transitory provisions for first election.

40. With respect to the first election of parish councillors, the following provisions shall have effect; that is to say,—

(1.) In a landward parish, and in the landward part of a 15 parish partly landward and partly burghal, the first election of parish councillors shall take place on the *first Tuesday of December in the year one thousand eight hundred and ninety-four*.

(2.) In a burghal parish, and in the burghal part of a parish 20 partly landward and partly burghal, the first election of parish councillors shall take place on the *first Tuesday of November in the year one thousand eight hundred and ninety-four*, and the provisions of section fifteen (excepting sub-section three) of this Act shall apply thereto. The parish councillors then elected shall go out of office on the *first Tuesday of November in the year one 25 thousand eight hundred and ninety-five*.

(3.) At the first election of parish councillors for a landward parish, or for the landward part of a parish partly landward and partly burghal, the returning officer shall be appointed by the county council, and the provisions of section fourteen (excepting 30 sub-section three) of this Act shall apply thereto, subject to such regulations as may be made by any order of the Board, and such regulations shall have effect as if they were contained in this Act. The parish councillors then elected shall go out of office on the *first Tuesday of December in the year one thousand eight hundred and 35 ninety-five*.

(4.) The parish councillors first elected for a parish shall meet on the *eleventh day of December in the year one thousand eight hundred and ninety-four*, at such time and place as shall be fixed for that purpose by the parochial board of the parish before they 40 demit office, and intimated by notice in writing by the inspector of the poor of the parish to each parish councillor, and such meeting

shall be deemed to be the December meeting of the parish council for the year aforesaid. A.D. 1894.

41.—(1.) Every rate and requisition for sums of money made before the *eleventh day of December in the year one thousand eight* Current rates.
 5 *hundred and ninety-four*, may be levied and collected, and proceedings for the enforcement thereof may be taken in like manner, as nearly as may be, as if this Act had not passed.

(2.) The accounts of all moneys received or expended before the *eleventh day of December in the year one thousand eight hundred*
 10 *and ninety-four* shall be audited and other consequential proceedings taken in like manner as nearly as may be as if this Act had not passed, and every officer whose duty it is to make up any accounts, or to account for any portion of the moneys received or expended in any account shall, until the audit is completed, be
 15 deemed for the purpose of such audit to continue in office and be bound to perform the same duties and render the same accounts as if this Act had not passed.

42.—(1.) All such property as belongs, or would, but for the passing of this Act, belong to or be vested in, or held in trust for, Transfer of property.
 20 any authority whose powers and duties are, by or in pursuance of this Act, transferred to a parish council shall, from and after such transference, pass to, and vest in, and be held in trust, for such parish council, subject to all debts and liabilities affecting the same, and shall be held by the parish council for the purposes for which
 25 such property is or would have been held, so far as such purposes are not modified by this Act; and if any question shall arise as to the heritable or movable property of any parochial board, transferred by or in pursuance of this Act, the same, failing agreement, shall be determined by the Board.

30 (2.) The parish council shall have full power to manage, alter, and enlarge, and, with the consent of the Board, to alienate lands and heritages transferred by this section, and may from time to time provide such accommodation and rooms, and such furniture, books, and other things as they may reasonably require for the
 35 transaction of their business.

43. All debts and liabilities of any authority whose powers and duties are transferred by or in pursuance of this Act to a parish council, shall become debts and liabilities of such council, and shall, from and after such transfer and subject to the provisions of
 40 this Act, be defrayed by them out of the like funds out of which they would have been defrayed if this Act had not passed.

A.D. 1894.

Existing
officers and
servants.

44. All persons who on the *eleventh day of December one thousand eight hundred and ninety-four* hold office as inspector of the poor of the parish or collector of poor rates, or are officers of a parochial board, under any Acts of Parliament, or are servants of such board and perform any duties in respect of the business 5 transferred by, or in pursuance of, this Act to a parish council shall, thereafter, become the officers and servants of the parish council.

Tenure and
duties of
officers
transferred
to parish
council.

45.—(1.) The officers and servants of any authority who hold office at the *passing of this Act*, and who by or in pursuance of this Act become officers and servants of a parish council (in this Act 10 referred to as existing officers) shall hold their offices by the same tenure, and upon the same terms and conditions as if this Act had not passed, and while performing the same duties shall receive not less salaries or remuneration and be entitled to not less pensions (if any) than they would have received or been entitled to if this 15 Act had not passed.

(2.) A parish council may distribute the business to be performed by existing officers and may combine their duties in such manner as the council may think expedient, and every existing officer shall perform such duties in relation to such business as 20 may be directed by the council.

(3.) Any parish councils, or parish councils and county councils or town councils or burgh commissioners, may, from time to time, join in making such arrangements with regard to the conduct and management of their business, including the collection of rates, 25 whether leviable by a parish council, or by a county council, or town council, or burgh commissioners, and the distribution of such business among their officers, as shall seem to them, in the whole circumstances of the case, to be most effective and economical.

Saving for
pending
actions, &c.

46.—(1.) If at the time of the transfer, any action or proceeding, 30 or any cause of action or proceeding, is pending or existing by or against any authority in relation to any powers, duties, liabilities, or property by this Act transferred to the parish council, the same shall not be in anywise prejudicially affected by reason of such transfer, but may be continued, prosecuted, and enforced by or 35 against the parish council, as successors of such authority, in like manner as if such transfer had not taken place.

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made and subsisting at the time of the transfer, and affecting any such powers, duties, liabilities, or pro- 40 perty of any authority as are by this Act transferred to a parish council, shall be of as full force and effect against or in favour

of the parish council, and may be enforced as fully and effectually as if instead of such authority the said parish council had been a party thereto. A.D 1894.

47. Nothing done in pursuance of this Act shall prejudicially affect any securities granted, before the time of the transfer, on the credit of any rate or property by this Act transferred to a parish council, and all such securities, as well as all unsecured debts, liabilities, or obligations lawfully incurred by any authority, body, or person, in the exercise of any power or in relation to any property transferred from them to the parish council under this Act, shall be discharged, paid, and satisfied by the parish council.
- Saving for securities in discharge of debts.

PART VI.—MISCELLANEOUS PROVISIONS

48. A county council may pay out of the general purposes rate any sum not exceeding *ten pounds* in any one year as a subscription to the funds of any association of county councils which may be formed for Scotland for the purpose of consultation as to their common interests, and the discussion of matters relating to Local Government, as well as any reasonable expenses of the attendance of representatives at any meeting of such association.
- Power to subscribe to association of county councils.

49. The chairman of a district committee, unless a woman or personally disqualified by any Act, shall by virtue of his office be a justice of the peace for the county in which the district is situate.

Chairman of district committee, to be justice.

50. If—

- (a.) a county councillor or a member of a district committee is absent from meetings of the county council or district committee respectively for more than *twelve months* consecutively, or if
- Absence from meetings.

- (b.) a parish councillor is absent from meetings of the parish council for more than *six months* consecutively ;
- then, except in case of illness or for some reason approved, by the county council in the case of absence from meetings of the county council or district committee, or by the parish council in the case of absence from meetings of the parish council, his office shall, on the expiration of the said twelve or six months respectively, become vacant, and the vacancy may be filled as a casual vacancy.

- 51.—(1.) On and after the *third Tuesday of December in the year one thousand eight hundred and ninety-four*, sub-sections one, two, and three of section eighteen of the principal Act regulating the constitution and appointment of a standing joint committee
- Abolition of standing joint committee.

A.D. 1894. of the county councillors and the commissioners of supply of a county shall be repealed.

(2.) The county council of every county to which the Police Act, 1857, extends, shall at their general meeting in the month of *December in the year one thousand eight hundred and ninety-four*, 5 and in subsequent years, appoint such number of county councillors as shall seem fitting, not exceeding fourteen, and such county councillors so appointed, along with the sheriff of the county (or in his absence, one of his substitutes to be by him nominated for that purpose), shall be called the police committee of the county council. 10 One-third shall form a quorum of the committee, and the committee may act notwithstanding any vacancy in their number, and shall elect one of their number to be chairman.

(3.) The standing joint committee of the county council and the commissioners of supply of a county shall continue to hold office 15 until the *third Tuesday of December in the year one thousand eight hundred and ninety-four*, and no longer, and thereafter every reference in any Act of Parliament, scheme, deed, or instrument, to a standing joint committee of the county council and the commissioners of supply of a county constituted under the law in force at 20 the passing of this Act shall be read and construed—

(a.) With respect to powers and duties relating to works involving capital expenditure by a county council, and with respect to the powers of borrowing transferred to or conferred on a county council by the Local Government (Scotland) Acts or any other 25 Act, as referring to the finance committee of the county council; and

(b.) with respect to all other powers and duties, as referring to the police committee of the county council appointed under this Act. 30

(4.) With respect to the several powers and duties aforesaid, the finance committee and the police committee of a county council severally shall come in place of the standing joint committee constituted as at the *passing of this Act*, and shall be deemed to be a continuance thereof, and shall have and may 35 exercise the powers and duties thereof, and shall be subject to the liabilities thereof, and all the provisions of any Act of Parliament in force at the passing of this Act relating to or dealing with the powers and duties of a standing joint committee in so far as not inconsistent with this Act, shall subsist and have effect. 40

Power to
provide new
county
buildings.

52.—(1.) In addition to the powers conferred by the twenty-fifth section of the principal Act upon a county council to alter and

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enlarge the lands and heritages transferred to them by the said section, a county council shall have full power, with the consent of the Secretary for Scotland, and subject to the provisions of the Local Government (Scotland) Acts with regard to capital expenditure, 5 to reconstruct county buildings and to erect, alter, enlarge, and maintain such additional county buildings as may from time to time be necessary, and the expression "county buildings" shall for the purposes of this section mean any buildings, whether together or in different places within the county, for the transaction of the 10 business of the county council or of the quarter sessions or justices of the peace; and a county council may, with the consent of the Secretary for Scotland, alienate any county buildings.

(2.) The expenses incurred by a county council—

(a) in erecting, altering, enlarging, and maintaining additional 15 county buildings, including the expenses of upholding, repairing, furnishing, insuring, lighting, cleaning, and warming the same, and all taxes, rates, and assessments legally chargeable thereon; and

(b) in reconstructing county buildings; and

(c) in providing or acquiring land for county buildings; 20 shall, subject to the provisions of the following sub-section, be defrayed out of the general purposes rate leviable within a county.

(3.) Where any expenses payable by a county council in respect of buildings are at the *passing of this Act* defrayed out of any 25 assessment other than the general purposes rate, such or the like expenses in subsequent years payable in respect of the same buildings shall not by the operation of this section cease to be defrayed out of the same assessment; and where the expenses connected with the upholding, repairing, renting, furnishing, insuring, lighting, 30 cleaning, and warming county buildings, and the taxes, rates, and assessments legally chargeable thereon, are at the *passing of this Act* defrayed out of the county general assessment in terms of the County General Assessment (Scotland) Act, 1868, the like expenses in case such county buildings are reconstructed may, after 35 such reconstruction, be defrayed out of the county general assessment or out of the general purposes rate, or be apportioned between them as the county council may determine.

31 & 32 Vict.
c. 82.

53.—(1.) In addition to the powers of borrowing conferred by the principal Act or by any other Act, a county council may from 40 time to time, subject to the provisions of the sixty-seventh section of the principal Act as amended by this Act, borrow on the security

Additional
borrowing
powers of
County
Council.

A.D. 1894. of the rates respectively herein-after specified such sums as may be required for the following purposes or any of them, that is to say :—

(a.) For the cost of the re-construction of county buildings, or the erection of additional county buildings, on the security of the general purposes rate; provided that the Secretary for Scotland may, if he thinks fit, with or without inquiry, by order under his seal relieve any police burgh or burghs from any contribution to the general purposes rate so far as leviable to defray such cost; and

10

(b.) For widening or re-constructing or otherwise permanently altering or permanently improving roads and bridges within the county, on the security of the road rate; and

(a.) For the purchase of land or of any right or interest or servitude in or over land or water, for any of the purposes for which a county council are empowered to make such purchase, on the security of the rates respectively leviable for such purposes.

(2.) A loan raised by a county council (other than a loan under the Small Holdings Act, 1892,) shall be repaid within such period not exceeding *forty years* as the county council with the consent of the finance committee of the county council, and (if the proposed period exceeds *thirty years*) of the Secretary for Scotland, shall determine in each case, and except as regards loans raised before the passing of this Act, sub-section two of section sixty-seven of the principal Act is hereby repealed, and where any reference to section sixty-seven of the principal Act is made in any Act, such reference shall be deemed to be made to the said section as amended by this Act.

25

Purposes for which a county council may acquire land.

54. A county council may from time to time for the purpose of any of their powers and duties, including powers and duties which are to be executed by or through a district committee, acquire, purchase, or take on lease any lands, or any right or interest or servitude in or over land or water.

30

Powers for acquisition of land by county council.

55.--(1.) For the purpose of the acquisition of land by a county council, under the Local Government (Scotland) Acts, or the Public Health Acts, or the Roads and Bridges (Scotland) Act, or the Allotments (Scotland) Act, 1892, the Lands Clauses Acts shall be incorporated with the said Acts, except the provisions of these Acts relating to the purchase and taking of land otherwise than by agreement.

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(2.) If a county council are unable to acquire by agreement, and on reasonable terms, suitable land for any purpose for which they are authorised and desire to acquire it, they shall publish once at the least in each of two consecutive weeks in some newspaper circulating in the locality an advertisement, stating shortly the purpose for which the land is proposed to be taken, mentioning a place at which a plan of the proposed works, if any, may be seen at reasonable hours, and stating the quantity of land that is required. Thereafter they shall cause notice to be given, both publicly in the locality and severally to the owners, lessees, and occupiers of the land proposed to be taken, either by delivery at, or by post in a registered letter addressed to, the usual or last known place of abode of such owners, lessees, and occupiers, and, after considering any objections which may be stated within *fourteen days* after issue of the notice, by any persons whose interests would be affected, may make an order for putting in force, with respect to such land, or any part thereof, the provisions of the Lands Clauses Acts relating to the purchase and taking of land otherwise than by agreement, and shall serve such order in the manner in which, and upon the person or persons upon whom notices are herein-before required to be served, together with a statement that the order will become final and have the effect of an Act of Parliament, unless within a period of *one month* after such service a memorial by some person whose interests would be affected is presented to the Board, praying that the order shall not become law without further inquiry.

(3.) The order shall be deposited with the Board, who shall inquire whether the provisions of this section have been in all respects complied with; and if the Board are satisfied that this has been done, then, after the expiration of the said period of *one month*—

- (a.) If no memorial has been presented, or if every such memorial has been withdrawn, the Board shall without further inquiry confirm the order :
- (b.) If a memorial has been presented, the Board shall proceed to hold a local inquiry, and shall, after such inquiry, either confirm, with or without amendment, or disallow the order :
- (c.) Upon any such confirmation, the order, and if amended, as so amended, shall become final, and have the effect of an Act of Parliament, and the confirmation by the Board shall be conclusive evidence that the order has been duly made, and is within the powers conferred by this Act, and that the requirements of this Act have been complied with.

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(4.) Where the Board are authorised, or required, to make any inquiry under this section, they may cause such inquiry to be made by any inspector or officer of the Board, or by any other person specially nominated in writing by the Board, and such inspector or officer or person shall be entitled to summon witnesses, 5 and examine them on oath, and to call for the production of books, documents, and accounts. The costs incurred in such inquiry, including the remuneration of any person specially nominated to hold the same, not exceeding *three guineas* a day, shall be paid 10 by the county council, and the said Board may certify the amount of the costs incurred, and any sum so certified shall be a debt to the Board from the county council.

(5.) Any order made under this section for the purpose of the purchase of land otherwise than by agreement, shall incorporate the Lands Clauses Acts, and sections seventy to seventy-eight (both 15 inclusive) of the Railway Clauses (Scotland) Consolidation Act, 1845, with any adaptations which may be prescribed by general order of the Board: provided that—

(a.) Any question of disputed compensation shall be referred to the arbitration of a sole arbiter appointed by the parties, or 20 if the parties do not concur in the appointment of a sole arbiter then, on the application of either of them, by the Board, and the remuneration to be paid to the arbiter appointed by the Board shall be fixed by the Board. An arbiter appointed under this sub-section shall be deemed to be 25 an arbiter within the meaning of the Lands Clauses Acts, and the provisions of these Acts with respect to an arbitration shall apply accordingly; and the arbiter shall, notwithstanding anything in the said Acts, determine the amount of the expenses in the arbitration, and such determination shall be 30 final; and

(b.) In determining the amount of disputed compensation, the arbiter shall not make any allowance in respect of the purchase being compulsory.

(6.) At any inquiry or arbitration held under this section, the 35 person or persons holding the inquiry or arbitration shall hear any authorities or parties whose interests would be affected, by themselves or their agents, and may hear witnesses, but shall not, except with consent of the Board, hear counsel or expert witnesses.

(7.) The county council or Board, as the case may be, shall not 40 make any order for purchasing any park, garden, pleasure ground, or other land required for the amenity or convenience of any dwelling-

house, or any land the property of a railway company or canal company which is or may be required for the purposes of their undertaking. A.D. 1894.

(8.) The county council or Board, as the case may be, shall in making an order for purchasing land, have regard to the extent of land held in the neighbourhood by any owner and to the convenience of other property belonging to the same owner, and shall, so far as is practicable, avoid taking an undue or inconvenient quantity of land from any one owner.

(9.) The Board shall in their annual report include a statement of any proceedings under this section.

56.—(1.) The words “or the limits within which the valuation roll for a county or burgh is made up as at the passing of this Act, or the right of assessing for the cost of making up such valuation roll or the register of parliamentary voters for any county or division or burgh,” occurring in section ninety-five of the principal Act, are hereby repealed. Readjustment of county boundaries.

(2.) Where the effect of an order of the Boundary Commissioners for Scotland appointed under the principal Act or of the schedule to an Act to confirm an order of the said Commissioners is to transfer part of a county to another county, such order or schedule shall be deemed to contain a provision, and it is hereby enacted, that in the year *one thousand eight hundred and ninety-four* and in subsequent years, the lands and heritages so transferred shall be omitted from the valuation roll of the county from which they are transferred, and shall for all the purposes of the Valuation Acts, and for all assessments (including the county registration assessment) be deemed to be within the county to which they are transferred, provided that so long as it is necessary that the lands and heritages so transferred from one county (herein referred to as the first-named county) to another county (herein referred to as the latter county) shall remain within the first-named county for the purposes of the Acts in force for the time being relating to the registration of parliamentary voters:—

(a.) The assessor of the latter county shall, in matters relating to the registration of parliamentary voters within the area transferred, give to the assessor of the first-named county access to, and use within the office of the assessor of the latter county of, all books and schedules necessary to enable him to make up his list of county voters, and shall from time to time, as soon as may be in each year, transmit to the assessor of the first-named county a certified copy of so much of the valuation [202.]

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roll of the latter county, as relates to the lands and heritages transferred; and

(b.) The county council of the latter county shall, in respect of the local financial year ending the *fifteenth day of May in the year one thousand eight hundred and ninety-five*, and 5 annually thereafter, pay to the county council of the first-named county, such proportion of the expenses payable by the county council of the first-named county for the registration of parliamentary voters within the parliamentary division in which the area transferred is situated, as the number of such voters 10 registered yearly in the area transferred shall bear to the total number of parliamentary voters registered yearly in such parliamentary division, and such payment shall be added to the expense of making up the parliamentary register of the latter county, and shall be defrayed and provided for as if it were 15 part thereof.

(3.) The provisions of this section shall not affect any proceedings taken in pursuance of any valuation roll made up in terms of the Valuation Acts for the year ending the *fifteenth day of May one thousand eight hundred and ninety-four*. 20

Assimilation
of areas.

57. Whereas it may be found expedient that areas for which school boards are elected at the passing of this Act should in certain cases be co-extensive with areas for which parish councils are elected: Be it enacted that every county council shall forthwith 25 take into consideration any case within the county where a school board is elected for a parish *quoad sacra* or for a school district formed under the Education Acts, and shall, as soon as practicable, cause inquiries to be made, and determine whether it is expedient that the provisions of the fifty-first section of the principal Act shall be put in force so that the areas shall be made to 30 coincide, by the creation of new parishes or otherwise, and (a) in the event of their so determining, shall make a representation or representations to the Secretary for Scotland, and the Secretary for Scotland may by order provide accordingly, in terms of the said section, and (b) in the event of their not so determining, shall 35 report their deliverance with their reasons therefor to the Secretary for Scotland.

Bridle-paths,
cart-roads,
footpaths,
and foot-
bridges.
41 & 42
Vict. c. 51.

58.—(1.) From and after the *passing of this Act* it shall be in the power of a county road board, subject to the approval of the county council in terms of section fifty-eight of the Roads and 40 Bridges (Scotland) Act, 1878, to resolve that any cart-road, or bridle-path, or footpath, or foot-bridge shall be constructed, and to

borrow money on the security of the road rate for such construction; and cart-roads or bridle-paths or footpaths or foot-bridges constructed under this section may be maintained as if they were highways within the meaning of the said Act.

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5 (2.) Subject to the provisions of section forty-two of the Roads and Bridges (Scotland) Act, 1878, a county council may declare that any cart-road, or bridle-path, or footpath, or foot-bridge which is not maintained out of public funds, shall, with consent, of the proprietor (which consent he may effectually give although an heir
10 of entail, or trustee, or otherwise not an absolute owner), be maintained as if it were a highway within the meaning of the said Act.

(3.) A list of cart-roads, bridle-paths, footpaths, and foot-bridges constructed and maintained under this section shall be made up
15 and kept by the county council.

(4.) A resolution of a county road board to construct any new road or bridge may be lawfully approved at any meeting of a county council called by special circular to every member of the council.

(5.) In case of any sudden damage to the highways in any county,
20 it shall be in the power of the road surveyor of the district or county, as the case may be, with the written consent of any two members of the district committee, or, where a county is not divided into districts, of the county council, given upon a report and estimate by the surveyor, to repair such damage, provided such
25 estimate shall not exceed the sum of *fifty pounds*, or such smaller sum as the county council may determine.

59.—(1.) It shall be the duty of a district committee, and, where there is no district committee, of the county council, to assert, protect, and keep open and free from obstruction or encroachment any right-
30 of-way, whether wholly within or partly within and partly without the county or district, which it may appear to them that the public have acquired by grant, prescriptive use, or otherwise, and which is beneficial to any inhabitants of the district, and they may for the purpose of carrying this section into effect, institute and defend
35 any legal proceedings and generally take such steps as they may deem expedient.

Protection
of rights-of-
way.

(2.) Where a parish council, or any six parish electors, within a parish have represented to the district committee that any public right-of-way within the district, or beneficial to any inhabitants of
40 the district, has been or is likely to be shut, or obstructed, or encroached upon, it shall be the duty of the district committee, if they are satisfied that the representation is well founded, to take

A.D. 1894. — such proceedings as may be requisite for its vindication; and if the district committee refuse or fail to take proceedings in consequence of such representation, the parish council, or the electors who made the representation, may petition the county council, and if the council so resolve, the powers and duties of the district committee under this section, in relation to such right of way, shall be transferred to the county council. 5

(3.) Any expenditure incurred by a county council or a district committee thereof in connexion with any legal or other proceedings, under the two preceding sub-sections, or either of them, shall be defrayed out of the road rate for the district, or, where a county is not divided into districts, out of the road rate for the county. 10

Regulation
of ferries by
county
councils.

60.—(1.) In order to remove certain doubts which have arisen as to the regulation of ferries, it is hereby provided that the sixteenth section of the principal Act shall be read as if it had transferred to the county council the powers and duties in regard to ferries belonging to and exercised by road trustees before the commencement of the said Act under their local Acts, and the administrative powers and duties of the justices of the peace of the county in general or special or quarter sessions assembled in regard to ferries shall be transferred to and vested in the county council of each county. 15 20

(2.) A list of ferries shall be made up by the county council as soon as may be after the *passing of this Act*, and from time to time thereafter, and the county council shall draw up for each ferry within their jurisdiction a schedule of rates or fares, to which the persons owning or working the ferries shall be obliged to conform, under a penalty not exceeding *five pounds*, which the county council are hereby entitled to enforce summarily. Such schedule shall be placed in a conspicuous place at the landing stages of each ferry. 25 30

(3.) When any proprietor of a ferry, quay, or pier shall have notified in writing to the county council that he is desirous to relinquish the same, the county council may, if they think fit, and if such ferry, quay, or pier appears to them to be of public utility, take over and maintain the same, and levy rates thereat, either themselves or by their lessees, according to a schedule of rates which shall be approved by the Board of Trade in the case of quays or piers, and may defray the costs and expenses (if any) of the maintenance of such ferry, quay, or pier out of the road rate; and after the date of transfer the county council shall have the same exclusive right of ferry at such ferry and the same use of such 35 40

quay or pier, and in the same manner as and subject to the same obligations under which they were held respectively by the former proprietor.

A.D. 1894.

61.—(1.) Where a requisition has been made under the Public Health (Scotland) Acts for the formation of a special drainage or special water supply district and the local authority has passed a resolution thereanent in terms of the said Acts, it shall no longer be competent to appeal against the said resolution to the sheriff, and the provisions of the said Acts, in so far as inconsistent herewith, are hereby repealed, provided always that nothing herein contained shall affect the provisions of sub-section 2 (c) of section seventeen of the principal Act.

Formation of special districts.

(2.) The number of a sub-committee appointed under section eighty-one of the principal Act may, failing agreement between a district committee and a town council or the commissioners of a police burgh be determined by the Secretary for Scotland.

62.—(1.) It shall be lawful for a parish council or for not fewer than ten parish electors of any landward parish or of the landward part of any parish partly landward and partly burghal to make a requisition in writing to the district committee of the county council calling upon them to form such parish or landward part of a parish or any portion thereof within the district into a special district for the following purposes or any one or more of them; that is to say,—

Formation of lighting and scavenging districts, and provision of public baths.

(a.) The lighting of the special district and the adoption for such purpose by the district committee of the provisions contained in sections ninety-nine, one hundred and two, one hundred and three, one hundred and four, and one hundred and five of the Burgh Police (Scotland) Act, 1892, or any one or more of them.

56 & 57 Vict. c. 55.

(b.) The scavenging of, and the removal of dust, ashes, and other refuse from, the lands and premises in such special district, and the adoption for such purposes by the district committee of the provisions contained in sections one hundred and seven to one hundred and twenty-seven, inclusive, of the Burgh Police (Scotland) Act, 1892, or any one or more of them.

(c.) The provision and maintenance of public baths or bathing places, wash-houses, and drying grounds, and the adoption for such purposes by the district committee of the provisions contained in sections three hundred and nine to three hundred and fourteen, inclusive, of the Burgh Police (Scotland) Act, 1892, to this Act, or any one or more of them.

(2.) Upon such requisition being received, the district committee shall be bound to meet, after *twenty-one* clear days notice, and shall

A.D. 1894. consider the propriety of forming such parish or landward part of a parish or portion thereof into a special district, and shall by resolution either approve or disapprove of the formation of a special district (which shall in no case include a police burgh or any portion thereof) for the purposes stated in the requisition or any one 5 or more of them, and, if they approve thereof, shall define the boundaries of such special district and specify the sections of the Burgh Police (Scotland) Act, 1892, to be adopted therein. Such resolution shall be final, subject to the provisions of sub-section three of this section, and in the event of the district committee 10 disapproving of the formation of a special district as proposed in a requisition, it shall not be competent to make another requisition to the same effect until after the expiration of *twelve months*. A copy of every such resolution shall be forthwith transmitted to the Board and to the county council.

15

(3.) Where the proposed special district is co-extensive with or comprises part of the area of any special drainage or water supply district formed under the Public Health Acts, the consent of the county council shall be required to any resolution approving of the formation of a special district under this section, and in giving 20 or refusing such consent the county council shall take into consideration the whole circumstances of the case, including the amount of the rates levied for the time being under the Public Health Acts and the principal Act within the proposed special district, and the county council may consent to the resolution 25 either with or without modifications.

(4.) On the adoption by a district committee of any of the provisions above mentioned, such provisions shall have effect as if the district were a burgh and the district committee were burgh commissioners under the Burgh Police (Scotland) Act, 1892.

30

(5.) The area of a special district formed under this section may be enlarged, and two or more special districts may be combined from time to time by resolution of the district committee, in terms of this section, with or without a requisition.

(6.) Any expenditure attending the formation of a special district, 35 or the carrying out within such special district of the purposes of this section or of any of them, shall be paid out of an assessment to be imposed and levied by the county council within the special district, along with and as an addition to, the public health rate, and with the same remedies and modes of recovery; and a county 40 council may borrow for such of the said purposes as the Secretary for Scotland may by order prescribe on the security of such assessment.

(7.) The total amount required to be raised in any parish (so far as within a county) by a public health rate may be certified by the county council to the parish council, and may be collected by the parish collector along with the poor rate of the parish. The amount collected in such case shall be paid over to the county council without any deductions, but the expense of collection (including the reasonable remuneration of the collector) shall be a debt from the county council to the parish council.

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(8.) Where a special district has been formed in any parish under this section, the district committee may, subject to regulations to be from time to time made with the consent of the county council, appoint annually a sub-committee for carrying out the purposes for which such special district has been formed, and such sub-committees shall in whole or in part consist of parish councillors of the parish whether members of the district committee or not.

63. In respect of the contribution made by police burghs within a county to the county general purposes rate for the salaries of the medical officer and sanitary inspector for the county, it is hereby enacted that the services of such medical officer and sanitary inspector shall be reasonably available in such police burghs: Provided that if any burgh commissioners shall complain to the Board that the services of such medical officer or sanitary inspector are not reasonably available, the Board may after such inquiry as they may consider necessary by order relieve such police burgh, so long as the order remains in force, of any liability to contribute, and such medical officer or sanitary inspector, or either of them, of any duties in respect to such police burgh.

Duties of county medical officer and sanitary inspector in police burghs.

64. The provisions of sections four hundred and eight, four hundred and ten, and four hundred and eleven of the Burgh Police (Scotland) Act, 1892, relating to the suppression of vagrancy, shall extend to counties in like manner as if they were herein re-enacted, with the substitution of the expression "county" for "burgh" and "sheriff or justices of the peace" for "magistrate," and "road" for "street" occurring therein respectively.

Suppression of vagrancy, &c.

65. The words "not exceeding the rates specified in the Schedule annexed to the Burgh Harbours (Scotland) Act, 1853," occurring in section two, sub-section four (b), of the Western Highlands and Islands (Scotland) Works Act, 1891, are hereby repealed.

Schedule of rates under Western Highlands and Islands (Scotland) Works Act, 1891

66. Section seventy-three of the principal Act shall on and after the first day of January in the year one thousand eight hundred and ninety-five be amended as follows, that is to say; in sub-

Date of December meeting of county council.

A.D. 1894. section two thereof after the words "May and October" there shall be inserted the words "and December," and in place of the words "and on the third Tuesday of December" there shall be substituted the words "Provided that the general meeting in the " month of *December* in the year of the election of a county 5 " council shall take place after such election on the day determined " by the expiring county council;" and in sub-section five thereof in place of the words "third Tuesday of," there shall be substituted the words "day of the general meeting in the month of."

County
council
representa-
tives on
committees.

67. In the year of the election of a county council, county 10 councillors appointed by the expiring county council to serve on a committee of the county council, or to represent the county council on any committee, or for any purposes for which the county council appoint representatives, shall vacate their appointments on the day of the election, and their successors on such committees, or for such 15 purposes, shall be appointed at the general meeting of the county council in the month of December for the period intervening between such meeting and the time at which, save for the provisions of this section, such appointments would be made.

Definitions.

68. Expressions used in this Act have the same meaning, if 20 not inconsistent with the context, as expressions used in the principal Act: Provided that—

The expression "secretary," includes assistant secretary;

The expression "parish" includes a combination of parishes;

The expression "burghal parish" means a parish which is wholly 25 comprised within a burgh;

The boundaries of burghs for the purposes of this Act shall be held to be the boundaries thereof as the same are or may be ascertained, fixed, or determined for police purposes, under the provisions contained in any general or local Act of Parliament, 30 or, when no police assessment is levied, as the same are or may be ascertained, fixed, or determined for municipal purposes.

The expression "burghal part of a parish" means any part of a parish comprised within the boundaries of a burgh, and the expression "landward part of a parish" means any part of a 35 parish not comprised within the boundaries of a burgh.

The expression "Public Health Acts" means the Public Health (Scotland) Act, 1867, and any Act or Acts amending the same;

The expression "Education Acts" means the Education (Scotland) Act, 1872, and any Act or Acts amending the same; 40

The expression "burgh" means any royal or parliamentary burgh;

The expression "population" means population according to the census of 1891;

The expression "footpath" excludes footpaths on the side or sides of any highway ; A.D. 1894.

The expression "ecclesiastical charity" includes a charity the endowment whereof is held for some one or more of the following purposes :—

- (a) for theological instruction or for the benefit of any theological institution ; or
- (b) for the benefit of any ecclesiastical person or officer as such ; or
- 10 (c) for use, if a building, as a church, chapel, mission hall or room, or Sunday school, or otherwise by any particular church or denomination ; or
- (d) for the maintenance, repair, or improvement of any such building as aforesaid, or for the maintenance of divine service
- 15 therein ; or
- (e) otherwise for the benefit of any particular church or denomination, or of any members thereof as such :

Provided that where any endowment of a charity, other than a building held for any of the purposes aforesaid, is held in part only

20 for some of the purposes aforesaid, the charity, so far as that endowment is concerned, shall be an ecclesiastical charity within the meaning of this Act.

69. The Acts specified in the First Schedule to this Act are hereby repealed to the extent mentioned in the third column and

25 as from the dates respectively specified in the fourth column of that Schedule, and so much of any Act as is inconsistent with this Act is also hereby repealed. Repeal of Acts.

A.D. 1894.

SCHEDULES.

SCHEDULE I.

ENACTMENTS REPEALED.

1. Session and Chapter.	2. Short Title.	3. Extent of Repeal.	4. Date from which Repeal takes effect.	5
8 & 9 Vict. c. 83.	Poor Law (Scotland) Act, 1845.	Section two. Section three. Section four, except so far as it relates to the Sec- retary. Section five, except from "the Board shall have" to the end. Section six. Section seven. Section eight to "proper "and." Section eleven so far as it requires the con- sent of a Secretary of State, or Her Majesty's Advocate, to the ap- pointment and the re- muneration of a Com- missioner or Com- missioners.	The date of the establishment of the Local Government Board for Scotland.	10
				15
				20
30 & 31 Vict. c. 101.	Public Health (Scotland) Act, 1867.	Sections nine, ten, and eleven, so far as they require the consent of a Secretary of State or Her Majesty's Advocate to any inquiry or the appointment of a Com- missioner.		25
				30
				35
8 & 9 Vict. c. 83.	Poor Law (Scotland) Act, 1845.	Section fifteen. Section seventeen, from "and until it shall" to the end. Sections eighteen to twenty-nine, both in- clusive. Section thirty, from "and "it shall also be law- ful" to the end. Section thirty-one, to "equality, and." Section thirty-three, from "or for the parochial board" to "entitled "to attend." Section thirty-eight, the words "or means and "substance." Sections forty-seven and forty-eight.	The eleventh day of De- cember in the year one thousand eight hun- dred and ninety-four.	40
				45
				50
				55

A.D. 1894.

1. Session and Chapter.	2. Short Title.	3. Extent of Repeal.	4. Date from which Repeal takes Effect.	
5 10 15 20 25 30 35 40	41 & 42 Vict. c. 51. 52 & 53 Vict. c. 50. 55 Vict. c. 12.	Roads and Bridges (Scotland) Act, 1878. Local Govern- ment (Scot- land) Act, 1889. Roads and Bridges (Scotland) Amendment Act, 1892.	Section forty-two, the words "at any annual " general meeting." Section fifty-eight, the words "to be given at " their annual general " meeting." Section eight, the words " for the purposes " hereinafter men- " tioned and " and the words in sub-section (2) " arising under this " section." Section forty-five, sub- sections one, three, and four. Section forty-six. Section forty-seven. Section forty-eight. Section forty-nine, sub- sections two, four, and five. Section fifty, sub-sections two and three. Section fifty-one, the words "in the county" in sub-section (e), and proviso (i). Sections one hundred and six to one hundred and seventeen, both inclu- sive. Section one.	From the com- mencement of the Local Government (Scotland) Act, 1894.

A.D. 1894.

SCHEDULE II.

We, *A.B.* [*here insert name and place of abode as in the parish council register for the parish*], and *C.D.* [*here insert name and place of abode as aforesaid*], hereby propose and nominate *E.F.* [*here insert name and place of abode as aforesaid*] for election as a parish councillor [*when the parish is divided into wards, add here "for the ward," specifying such ward*] at the next ensuing parish council election in the parish of [*specify parish*].

Given under our hand this [*insert date*].

A.B. _____

C.D. _____

10

To _____

Returning Officer.

SCHEDULE III.

The intimation or nomination of *E.F.* [*here insert name and place of abode of candidate as in the parish council register for the parish*] for election as a parish councillor [*when the parish is divided into wards, add here "for the ward," specifying such ward*] at the next ensuing parish council election in the parish of [*specify parish*] is hereby withdrawn.

Given under our hand this [*insert date*].

to be signed by—

×

Candidate.

20

×

Proposer or Secunder.

or by—

×

Proposer.

×

Secunder.

25

To _____

Returning Officer.

Local Government (Scotland).

A

B I L L

To establish a Local Government Board
for Scotland, and make further pro-
vision for Local Government in Scot-
land, and for other purposes.

(Prepared and brought in by
Sir George Trevelyan, the Lord Advocate, and
Mr. Solicitor-General for Scotland.)

Ordered, by The House of Commons, to be Printed,
27th April 1894.

PRINTED BY EYRE AND SPOTTISWOODE,
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[Bill 202.]

Local Government (Scotland) Bill.

[AS AMENDED BY THE STANDING COMMITTEE ON SCOTCH BILLS.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Extent of Act.

PART I.

Constitution of a Local Government Board for Scotland.

3. Establishment of Local Government Board for Scotland.
4. Constitution of Board.
5. Seal, style, acts, orders, and rules of Board.
6. Transfer of officers.
7. Construction of Acts and documents, and powers of Board.

PART II.

Constitution and Election of Parish Councils.

8. Establishment of parish councils.
9. Number of parish councillors for each parish.
10. Electing body.
11. Married women not disqualified.
12. Registration of parish electors.
13. Parish wards.
14. Regulations as to election of parish councillors in landward parish, &c.
15. Regulations as to election of parish councillors in burghal parish, &c.
16. Notice of election and nomination papers, &c.
17. Powers and duties of returning officer.
18. Supplemental provision as to elections.
19. Office of parish councillor and regulations regarding parish council.
20. Disqualification for parish councils.

[Bill 337.]

PART III.

Powers and Duties transferred to Parish Councils.

Clause.

21. Parochial boards to cease.
22. Parish councils to take the place of parochial boards.

PART IV.

New Powers conferred upon Parish Councils in Landward Parishes and Landward Parts of Parishes.

23. Landward committees to be constituted in certain parishes.
24. Additional powers of parish councils.
25. Powers for acquisition of land.
26. Leasing of land for allotments.
27. Special parish rate may be levied.
28. Borrowing by parish council.
29. Parish footpaths.
30. Parish roads and bridges.

PART V.

Parish Trusts.

31. Powers of parish council over parish charities and churchyards.

PART VI.

Supplemental.

32. Use of schoolrooms.
33. Incorporation of parish council.
34. Committees of parish councils.
35. Appointment of joint committees.
36. Parish accounts.
37. Audit of accounts.
38. Local annual budget.
39. Borrowing by parish councils.
40. Duty of Board and of county and town councils to bring Act into operation.
41. Chairman of district committee or parish council to be justice.
42. Absence from meetings.
43. Protection of rights of way.

Clause.

44. Powers of heirs of entail to make grants of land.
45. Formation of lighting and scavenging districts and provision of public baths.
46. Valuation roll to show special districts.
47. Additional powers to alter parish areas.
48. Current rates.
49. Transfer of property.
50. Transfer of debts and liabilities.
51. Existing officers and servants.
52. Tenure and duties of officers transferred to parish council.
53. Saving for pending actions, &c.
54. Saving for securities in discharge of debts.
55. Definitions.
56. Repeal of Acts.

PART VII.

Transitory Provisions.

57. Transitory provisions for first election.

SCHEDULES.

A

B I L L

[AS AMENDED BY THE STANDING COMMITTEE ON SCOTCH BILLS]

TO

Establish a Local Government Board for Scotland, and
make further provision for Local Government in
Scotland, and for other purposes. A.D. 1894.
—

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :

- 5 **1.** This Act may be cited as the Local Government (Scotland) Act, 1894, and this Act, and the Local Government (Scotland) Act, 1889, (herein-after called the principal Act,) shall, except as otherwise provided by this Act, be construed as one Act, and may be cited together as the Local Government (Scotland) Acts. Short title.
52 & 53 Vict.
c. 50.
- 10 **2.** This Act shall extend to Scotland only. Extent of
Act.

PART I.—CONSTITUTION OF A LOCAL GOVERNMENT BOARD FOR
SCOTLAND.

- 15 **3.** A Board shall be established, to be called the Local Government Board for Scotland, (in this Act referred to as the Board), and from and after the establishment of such Board, the Board of Supervision, established by the Poor Law (Scotland) Act, 1845, shall cease to exist, and all the powers and duties vested in or imposed on the Board of Supervision by any Act of Parliament in force at the commencement of this Act, shall be vested in, transferred to, and
20 imposed on the Board, and, except as otherwise provided by this Act, shall be exercised and performed by the Board in like manner and subject to the same conditions, liabilities, and incidents respectively, as such powers and duties might before the commencement of this Act have been exercised and performed by the Board
25 of Supervision, or as near thereto as circumstances admit.

Establish-
ment of
Local
Government
Board for
Scotland.
8 & 9 Vict.
c. 83.

A.D. 1894.

Constitution
of Board.

4.—(1.) The Board shall consist of a President, being the Secretary for Scotland, the Solicitor-General for Scotland, and the Under Secretary for Scotland, together with three appointed members, of whom one shall also be appointed Vice-President and Chairman of the Board, in the absence of the President, the second 5 shall be a member of the Faculty of Advocates of not less than seven years standing, and the third shall be a registered medical practitioner, who shall also be registered on the Medical Register as the holder of a diploma in sanitary science, public health, or State medicine, under section twenty-one of the Medical Act, 1886, or 10 who has been for a period of not less than five years medical officer of a county or burgh, and who shall not hold any other appointment or engage in private practice or employment.

(2.) The appointed members shall be appointed by Her Majesty, on the recommendation of the Secretary for Scotland, at any time 15 after the passing of this Act, and from time to time as vacancies occur, and shall receive out of moneys provided by Parliament such salaries as the Treasury may assign. They shall hold office during Her Majesty's pleasure.

(3.) The Board shall be deemed to be established from and after 20 the date of the first appointment of a Vice-President under this Act.

(4.) The board shall comply with any instructions which may be issued by the Secretary for Scotland.

Seal, style,
acts, orders,
and rules
of Board.

5.—(1.) The Board may adopt an official seal, and describe themselves generally by the style and title of the Local Government 25 Board for Scotland, and any act to be done, or deed to be signed, or instrument to be executed, by or on behalf of the Board, may be done or signed or executed in the name of the Board by the President, or by any member of the Board, or by the secretary if such secretary is authorised to do, sign, or execute the same by 30 any general or special order of the Board.

(2.) A rule, order, or regulation made by the Board shall be valid if made under the seal of the Board, and signed by the President or Vice President or one of the *ex officio* members of the Board, and countersigned by the secretary; and a copy of such rule, order, 35 or regulation, signed and certified by the secretary of the Board, shall be evidence thereof in any court of law or justice.

(3.) It shall be lawful for the Board from time to time to make rules for conducting the business of the Board, and for exercising the powers and authorities thereof.

40

Transfer of
officers.

6.—(1.) The secretary and all officers, inspectors, clerks, and other persons employed at the passing of this Act in or about the execution

of the powers and duties of the Board of Supervision, shall, A.D. 1894.
 from and after the establishment of the Board, be attached to and
 be under the control of the Board, and shall in other respects hold
 their offices and places upon the same terms and conditions, and

5 have the same powers, privileges, and immunities with respect to
 the performance of their duties, as if this Act had not passed.

(2.) The Board may, by order, distribute the business to be
 performed under the Board amongst the several officers and persons
 transferred to the Board by this Act, in such manner as the Board
 10 may think expedient.

(3.) The Board may, with a view to the proper performance of
 the duties imposed upon them by this Act, appoint, in writing,
 such assistant medical officers, inspectors, clerks, and other officers,
 with such salaries to be paid out of moneys to be provided by
 15 Parliament, as the Board may, with the sanction of the Treasury,
 determine.

7. In the construction, and for the purposes of any Act of
 Parliament, contract, or other deed, passed, entered into, or executed
 before the establishment of the Board, the name of the Board shall
 20 be deemed to be substituted for the Board of Supervision, and any
 act or thing which might, if this Act had not passed, have been
 done by the Board of Supervision, may be done by the Board.

Construction
 of Acts and
 documents,
 and powers
 of Board.

After the establishment of the Board, all property belonging to
 or vested in, or held in trust for, the Board of Supervision shall
 25 pass to, and vest in, and be held in trust for, the Board, subject to
 all debts and liabilities affecting the same, and shall be held by
 the Board for the purposes for which it is now held, or would have
 been held if this Act had not passed.

PART II.—CONSTITUTION AND ELECTION OF PARISH COUNCILS.

30 8. A council, in this Act referred to as a parish council, shall be
 established in every parish.

Establish-
 ment of
 parish
 councils.

9.—(1.) The parish council shall consist of a chairman and
 councillors, and the number of councillors, including the chairman,
 shall be such (and in the case of a parish partly landward and partly
 35 burghal in such proportion for the landward and the burghal parts
 respectively) as may from time to time, with the approval of the
 Board, be fixed :—

Number of
 parish
 councillors
 for each
 parish.

(a.) In the case of landward parishes, by the county council;
 (b.) In the case of burghal parishes, by the town council; and
 40 (c.) In the case of parishes partly landward and partly burghal,
 or including the area or part of the area of a police burgh or burghs,

A.D. 1894.

by the county council and town council or councils and burgh commissioners jointly. In such case, failing agreement, the number shall be such and in such proportion as may be fixed by the Board.

(2.) In the case of the parishes named in the Fourth Schedule to this Act the number of councillors, including the chairman, shall, notwithstanding anything contained in the preceding sub-section, be such as may from time to time be fixed by the Board after consultation with the parochial boards or parish councils of the said parishes, and such other local authorities as may appear to the Board to be concerned. 5 10

(3.) In fixing the number of parish councillors, regard shall be had to the powers and duties of the parish council under this Act, and to the population according to the last-published census for the time being, and special wants and circumstances of the parish, and to the division of the parish into parish wards, if it is so divided. 15

(4.) The number of parish councillors for any parish shall be not fewer than five nor more than thirty-one.

Electing
body.

10.—(1.) Subject to the provisions of this Act, a parish council shall be elected by the following persons, in this Act referred to as parish electors, namely, the persons registered on the parish council register. . . . Provided that exemption from or failure to make payment of the special rate authorised by this Act, where such rate is due and payable by persons so registered, shall be a disqualification from voting at an election of a parish council, unless such rate is paid during the period of one year subsequent to service of the demand note requiring payment of the same. 20 25

(2.) Each parish elector may at any poll for the election of a parish council give one vote, and no more, for each of any number of candidates not exceeding the number to be elected. 30

(3.) A poll for the election of a parish council shall be taken by ballot.

Married
women not
disqualified.

11. A woman otherwise possessing the qualification for being registered on any county council or municipal register of electors shall not after the first day of January in the year one thousand eight hundred and ninety-five be disqualified by marriage from being registered on a county council, municipal, or parish council register, provided that a husband and wife shall not both be registered in respect of the same property. 35

12. With respect to the registration of parish electors, the following provisions shall have effect :—

5 (1.) A county council register shall be so framed and printed as that, in addition to the other requirements of the law, the county electors may be distinguished therein according to parish wards, if and where a landward parish, or the landward part of a parish partly landward and partly burghal, is divided into parish wards.

10 (2.) A municipal register shall be so framed and printed as that, in addition to the other requirements of the law, the burgh electors may be distinguished therein—

(a) according to parishes, if and where a burgh comprises two or more parishes or parts of two or more parishes ; and

15 (b) according to parish wards, if and where a burghal parish or the burghal part of a parish partly landward and partly burghal is divided into parish wards.

(3.) Where the boundary of a burgh for municipal purposes extends beyond its boundary as ascertained, fixed, or determined for 20 police purposes under the provisions contained in any general or local Act of Parliament, the assessor shall, in preparing the municipal register, prefix a distinctive mark to the numbers or names of any municipal electors for the area which is without the police but within the municipal boundary, and the names of any such 25 electors shall not be inserted by the town clerk in the copy of the register provided for by this section, and such electors shall not be entitled to vote as parish electors in respect of their qualification as municipal electors, but may vote as parish electors within a county if registered as county electors on the county council 30 register.

(4.) Nothing in any Act shall prevent a person, if duly qualified, from being registered in more than one register of parish electors.

35 (5.) In the year one thousand eight hundred and ninety-five and subsequent years, the assessors charged with the preparation of the county council and municipal registers respectively shall insert in such registers the names of persons duly qualified as parish electors in more than one parish in respect of each of such qualifications, but shall prefix a distinctive mark indicating where each insertion is for the purposes of the parish council register 40 only.

(6.) It shall be lawful to object to the insertion or omission of the distinctive marks in this section mentioned, as nearly as may

A.D. 1894. be in the same manner, and subject to the same provisions as to appeal and otherwise, as in the case of any other entry in or omission from such registers.

(7.) An elector to whose number or name as entered in such registers the distinctive mark, as in sub-section five of this section 5 mentioned, is prefixed, shall not, in respect of such entry, be deemed to be registered as a parliamentary or county or municipal elector, and shall not be entitled to vote in respect of such entry at a parliamentary or county council or municipal election.

(8.) From time to time, as soon as a county council or 10 municipal register is completed, the county clerk or town clerk, as the case may be, shall furnish to the clerks of the several parish councils of parishes wholly or partly within the county or burgh a certified copy of so much of such register as relates to their respective parishes, and such copy or copies, so far as 15 relating to a parish, shall constitute the parish council register for the parish.

Parish
wards.

13.—(1.) The landward part and the burghal part of a parish partly landward and partly burghal shall respectively be parish wards or shall respectively be divided into two or more parish 20 wards of the parish.

(2.) A police burgh or any part thereof so far as within a parish shall be a parish ward, or shall be divided into two or more parish wards of the parish.

(3.) A county council, on being satisfied after due local inquiry, 25 that within the county, exclusive of any police burgh, different portions of the population of any landward parish, or of any landward part of a parish partly landward and partly burghal, are so situated or have such interests as to make it desirable that they should be separately represented on the parish council, may from 30 time to time resolve and, by order under their seal, determine that such parish, or landward part of a parish, be divided into such and so many parish wards as they may deem expedient, and shall, in making such division, have due regard to the existing division of the county into county council electoral divisions, and shall in such order 35 designate each parish ward, and define its boundaries, and assign the number of parish councillors to be elected by the parish electors therein.

(4.) The town council of a burgh or burgh commissioners of a police burgh may, if they think fit, from time to time resolve, 40 and by order under their seal determine that any parish or part of a parish within the burgh or police burgh be divided into such and

so many parish wards as they may deem expedient, and shall, in making such division, have due regard to the existing division (if any) of the burgh or police burgh into municipal wards, and shall in such order designate each parish ward and define its boundaries, and assign the number of parish councillors to be elected by the parish electors therein.

(5.) Section eleven of the Burgh Police (Scotland) Act, 1892, shall, subject to the exceptions contained in section 5 (a) and in Schedule Two thereof, be construed to include, and shall, notwithstanding any local Act to the contrary, include, the division into wards, and the revision, alteration, extension, or contraction of the boundaries of the wards, of a burgh, for parliamentary and municipal as well as for police purposes, and that, whether an application has been made for the revision of the boundaries of the burgh or not, provided that any such revision, alteration, extension, or contraction shall not affect the boundaries of any division of such burgh for the purpose of returning a member to serve for such division in Parliament. In this sub-section the expression "burgh" includes police burgh.

(6.) Any county council or town council or burgh commissioners respectively may by order under their seal in terms of the foregoing sub-sections revoke or modify any previous order, or, within the county or burgh or police burgh, cancel or alter any division of a parish into wards in force at the commencement of this Act, but every such division shall, so far as consistent with the provisions of this Act, remain in force until so cancelled or altered.

(7.) A copy of every order made under this section shall be transmitted to the Board within seven days after it is made.

(8.) In a parish divided into parish wards, the parish councillors for each parish ward shall be separately elected.

14. With respect to the second and subsequent elections of parish councillors for a landward parish, or for the landward part of a parish partly landward and partly burghal, the following provisions shall, except within parishes or parts of parishes co-extensive with police burghs or parts of police burghs, have effect:—

Regulations
as to election
of parish
councillors
in landward
parish, &c.

(1.) The election of such parish councillors shall take place in every third year, beginning with the year one thousand eight hundred and ninety-five, on the same day and, as nearly as may be, in the same manner, in the same places, and with the same returning and presiding officers and clerks, as the election of county councillors for the county in which such parish or

A.D. 1894.

- part of a parish, as the case may be, is situated, or if there is a contested election for parish councillors, but there is no contested election for county councillors in the county council electoral division or divisions corresponding to such parish or part of a parish, as the case may be, as if there were a contested election for county councillors in such electoral division or divisions. 5
- (2.) The expenditure incurred in the election of such parish councillors as ascertained and apportioned by agreement between the county council and the parish council or councils concerned, or, failing agreement, by order of the Board, shall 10 be a charge upon the poor rate levied in such landward parish, or part of a parish, respectively, and shall be paid to the county council by such parish council or councils.
- (3.) From and after such second election, the term of office of such parish councillors shall be three years, and in every 15 third year the whole number of such parish councillors shall go out of office, and their places shall be filled by election.
- (4.) The enactments regulating the election of county councillors shall, with the necessary variations and subject to the provisions of this Act, extend and apply to the election of such 20 parish councillors.
- (5.) If in any case such parish, or part of a parish, is situated in more counties than one, the provisions of this section shall apply with the necessary variations and subject to such regulations as may be made by any order of the Board, and such regulations 25 shall have effect as if they were contained in this Act.
- (6.) It shall be the duty of the county council of every county to make due provision for the election of such parish councillors.
- (7.) A county council may refer to the Board any question that may arise as to the performance of the duty of such county 30 council under this section, and the determination of the Board, as signified by order thereon, shall be final.

Regulations
as to election
of parish
councillors
in burghal
parish, &c.

15. With respect to the second and subsequent elections of parish councillors for a burghal parish, or for the burghal part of a parish partly landward and partly burghal, the following provisions 35 shall have effect:—

- (1.) The election of such parish councillors shall take place in every third year, beginning with the year one thousand eight hundred and ninety-five, on the same day and, as nearly as may be, in the same manner, in the same places, and with the same 40 returning and presiding officers and clerks, as the election of town councillors for such burgh, or if there is a contested election

for parish councillors, but there is no contested election for town councillors in such burgh or in any ward thereof (if it is divided into wards), as if there were a contested election for town councillors in such burgh, or in a ward or wards thereof.

A.D. 1894.

- 5 (2.) The expenditure incurred in the election of such parish councillors, as ascertained and apportioned by agreement between the town council and the parish council or councils concerned, or, failing agreement, by order of the Board, shall be a charge upon the poor rate levied in such burghal parish or
10 part of a parish respectively, and shall be paid to the town council by such parish council or councils.
- (3.) From and after such second election the term of office of such parish councillors shall be three years, and in every third
15 year the whole number of such parish councillors shall go out of office, and their places shall be filled by election provided that the term of office of parish councillors elected for such burghal part of a parish shall not commence until the first Tuesday in December following their election.
- (4.) The enactments regulating the election of town councillors
20 shall, with the necessary variations and subject to the provisions of this Act, extend and apply to the election of such parish councillors.
- (5.) If in any case the burghal part of a parish is situated in more burghs than one, the provisions of this section shall apply
25 with the necessary variations, and subject to such regulations as may be made by any order of the Board, and such regulations shall have effect as if they were contained in this Act.
- (6.) It shall be the duty of the town council of every burgh to make due provision for the election of such parish
30 councillors.
- (7.) A town council may refer to the Board any question that may arise as to the performance of the duty of such town council under this section, and the determination of the Board, as signified by order thereon, shall be final. The foregoing
35 provisions shall apply to the second and subsequent elections of parish councillors in parishes or parts of parishes co-extensive with police burghs or parts thereof, with the omission of the words "burghal," and with the substitution of the expression "police burgh" for "burgh," and "burgh commissioners" for
40 "town council."

16. The enactments by the principal Act or this Act applied to the election in a county of county councillors and of parish

Notice of election and nomination papers, &c.

A.D. 1894. — councillors, shall, for the purposes of such election, be construed or amended so as to incorporate the following provisions, which are hereby enacted, that is to say:—

- (1.) The notice of election shall be given by the returning officer not later than four o'clock afternoon on the third Tuesday 5 preceding the day of election, and the nomination papers shall be lodged with the returning officer at any time not later than four o'clock afternoon on the second Tuesday preceding the day of election; and sub-section four of section thirty of the principal Act is hereby repealed. Every nomination paper 10 shall be signed by the candidate nominated or by some person duly authorised in that behalf.
- (2.) It shall not be necessary to publish the names of candidates for a parish council elsewhere than in the parish, but the returning officer may, if he think it expedient, publish them 15 in any manner in which he publishes the names of candidates for the county council.
- (3.) Any intimation made to a returning officer of the nomination of a candidate for election shall be competently withdrawn by giving notice of withdrawal to the returning officer not later than 20 four o'clock afternoon on the Tuesday immediately preceding the day of election, and such notice of withdrawal shall be signed by the person nominated or by some person duly authorised on that behalf, provided that no such withdrawal shall be competent when its effect would be to reduce the 25 total number of persons nominated for such election in a county electoral division or parish or parish ward below the number necessary to supply the vacancies to be filled up.

Powers and duties of returning officer.

17.—(1.) A returning officer shall make and publish such arrangements as he shall think fit for the purpose of enabling nomination 30 papers for the election of parish councillors and notices of withdrawal to be obtained, and when filled up to be received and dealt with at some place within or adjoining the parish, and for that purpose may, by writing under his hand, delegate such of his powers as he shall think necessary to the clerk of the parish 35 council of the parish or other fit person.

(2.) The returning officer or officers, as the case may be, shall after an election give intimation in writing forthwith to the clerk of the parish council of the persons elected as parish councillors, and the said clerk shall in each year by notice in writing to each parish 40 councillor, summon the statutory meeting of the parish council. The notice shall state the hour and place of meeting.

(3.) A nomination paper shall be competently signed by any two parish electors entitled to vote for the candidate nominated. A.D. 1894.

(4.) The intimation of nomination, and notice of withdrawal respectively, may be in the form of the Second and Third Schedules to this Act annexed.

18. If a parish council are not elected at the time at which they ought to be elected, or if an insufficient number of councillors is elected, or if a parish council become unable to act by reason of deficiency in the number of councillors, whether from failure to elect or otherwise, the Board may order, at such time and in such manner as seems expedient, a new election of a councillor or councillors for the parish or for a ward or wards thereof, and shall by order make such provision as seems expedient for authorizing any person to act temporarily in the place of the parish council and of the chairman thereof. If two candidates receive an equal number of votes, and only one can be elected, the returning officer shall have a casting vote.

Supplemental provision as to elections.

19.—(1.) A parish council shall be elected from among the parish electors.

Office of parish councillor and regulations regarding parish council.

(2.) A parish council may, subject to the provisions of this Act, from time to time make, vary, and revoke such regulations as they think fit with respect to the summoning notice, time, place, and management of their meetings, or of the meetings of any committee of the council and generally with respect to the conduct of their business. A parish council may appoint a clerk; but failing such appointment the inspector of the poor of the parish may act as clerk of the parish council, and where no clerk is appointed, or no parish council has been elected, any reference in this Act to the clerk of the parish council shall be deemed to include a reference to the inspector of the poor of the parish.

(3.) The quorum of a parish council shall be one-fourth of the whole number of the council, but shall in no case be less than three.

(4.) A casual vacancy in a parish council caused by death, resignation, or disqualification shall, as soon as practicable, be filled by the parish council, but the person filling any such vacancy shall hold office so long only as the vacating councillor would have retained the same if such vacancy had not occurred.

(5.) The parish council shall elect a chairman from their own number and should the chairman be absent from any meeting of the council the councillors shall appoint one of themselves to be

A.D. 1894.

chairman of the meeting, and should a vacancy occur in the office of chairman during the tenure of office of the council it shall be supplied by a new appointment, and at every meeting the chairman shall have a deliberative, as also in cases of equality a casting, vote.

(6.) The term of office of such chairman shall not extend beyond 5 the next statutory meeting after his election, and his place shall be filled by election at a meeting of the parish council, in this Act referred to as the statutory meeting, to be held in each year after the year one thousand eight hundred and ninety-four on any lawful day within ten days after all the parish councillors are elected. 10 The chairman shall be eligible for re-election. If an equal number of votes is given for two or more persons, the parish council shall determine by lot which of these persons shall be chairman.

(7.) The representative from a parish council on a district committee of a county council or on the county council where a county 15 is not divided into districts, shall be appointed annually at the statutory meeting of the parish council from among their own number.

Disqualifica-
tion for
parish
councils.

20.—(1.) A person shall be disqualified for being elected, and for being, a member of a parish council, if and while he— 20

(a) holds any office or place of profit under the parish council or any committee thereof, or

(b) has directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by, or on behalf of, the parish council or any committee thereof. 25

(2.) But a person shall not be disqualified, or be deemed to have any share or interest in such a contract or employment, by reason only of his having any share or interest in—

(a) any lease, sale, or purchase of land, or water, or right of water supply, or any agreement for the same; or 30

(b) any agreement for the loan of money, or any security for the payment of money only; or

(c) any newspaper in which any advertisement relating to the affairs of the parish council or any committee thereof is inserted; or 35

(d) any company which contracts with the parish council, or any committee thereof, for lighting or supplying with water, or insuring against fire, any property of the parish council; or

(e) any railway company or any company incorporated by Act of Parliament or Royal Charter, or under the Companies Acts 40 1862 to 1890;

Provided that no parish councillor shall vote or act in any matter in which he has a pecuniary interest. A.D. 1894.

- (3.) No person shall be disqualified by sex or marriage for being elected, or being, a member of a parish council, or for being appointed
5 a representative of that council on a district committee of a county council, or on a county council where a county is not divided into districts.

PART III.—POWERS AND DUTIES TRANSFERRED TO PARISH COUNCILS.

- 10 21. On and after the eleventh day of December in the year one thousand eight hundred and ninety-four, all enactments regulating the constitution and election of parochial boards shall be repealed, and the parochial board of any parish shall continue to hold office only until the said day, and no longer; and on and after
15 such day, every reference in any Act of Parliament, scheme, deed, or instrument to a parochial board constituted under the law in force at the passing of this Act, shall be read and construed as referring to a parish council constituted under this Act.

Parochial boards to cease.

- 20 22. A parish council shall, subject to the provisions of this Act, come in place of a parochial board constituted as at the passing of this Act, and shall be deemed to be a continuance thereof, and shall have and may exercise all the powers and duties, and shall be subject to all the liabilities thereof, and all the provisions of any Act of Parliament in force at the passing of this Act relating to or
25 dealing with the powers and duties of parochial boards, and the appointment, powers, and duties of their officers in so far as not inconsistent with this Act, shall subsist and have effect.

Parish councils to take the place of parochial boards.

PART IV.—NEW POWERS CONFERRED UPON PARISH COUNCILS IN LANDWARD PARISHES AND LANDWARD PARTS OF PARISHES.

- 30 23.—(1.) In this Part of this Act the expression parish council does not include the parish council of a burghal parish.
(2.) For the purpose of exercising and performing the powers and duties conferred and imposed by this Part of this Act, in the case of a parish which—
35 (a) is partly landward and partly burghal; or
(b) comprises a police burgh or part of a police burgh,
there shall be a committee, in this Act referred to as the landward committee, which shall in every case consist of the whole number of parish councillors for such parish, excepting

Landward committees to be constituted in certain parishes.

A.D. 1894. only the councillors representing the burghal part of the parish, or such police burgh, or part of a police burgh; and, in the case of such parishes, the powers (except the power to raise money by rate or loan), and duties conferred and imposed on a parish council by this Part of this Act, shall be exercised 5 and performed by the landward committee, which for such purpose shall be deemed to be the parish council of the parish, and may sue and be sued as such landward committee. For such purpose, such burghal part and such police burgh or part of a police burgh, shall be deemed to be without such parish, and shall 10 not be rated by the parish council. Provided that where, in terms of section nine of this Act, a landward committee would consist of less than five members, the Board, if they deem it expedient with a view to the proper transaction of business, by order provide for the election, along with, and subject to the same provisions as, 15 the election of parish councillors, of such additional number of members of such landward committee as shall be named in the order. In such case, if the election of the landward committee takes place according to parish wards, at least one member shall be added for each ward. Such landward committee, as increased, shall 20 appoint to the parish council the requisite number of parish councillors, as determined in terms of section nine of this Act.

(3.) A landward committee may exercise and perform their powers and duties under this Part of this Act without reference to and without the approval of the parish council. The procedure of the 25 landward committee shall be such as the committee may from time to time direct, and they shall appoint their chairman, and the quorum shall not be less than three.

(4.) Where the population of the landward part of a parish partly landward and partly burghal, exclusive of any police 30 burgh or part of a police burgh comprised therein, does not exceed one hundred, a landward committee, as provided for in sub-section two of this clause, shall not be constituted unless and until the Board shall so order on the application of five parish electors residing within the landward part thereof. 35

Additional
powers of
parish
councils.

24.—(1.) In addition to any powers conferred or transferred by other parts of this Act, a parish council shall have the following powers, namely, power—

(a) to provide or acquire buildings for public offices and for meetings or other public purposes to provide or acquire land 40 for such buildings; and

- (b) to provide, or acquire, maintain, lay out, and improve grounds for public recreation; and
- (c) to provide or acquire land for the erection of workmen's dwellings; and
- 5 (d) to acquire by agreement any right of way, whether within the parish or in an adjoining parish, the acquisition of which is beneficial to the inhabitants of the parish or of any part thereof; and
- (e) to accept and hold any gifts of property for the benefit of
- 10 the parish; and
- (f) to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of any of the foregoing powers, or in relation to any property of the parish council; and
- 15 (g) to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council, or other authority or person, to do or contribute towards the expense of doing, any of the things above mentioned.

(2.) A parish council may let, sell, or exchange any land or

20 buildings provided or acquired under this Part of this Act, and vested in the council, but the power of letting for more than a year, and the power of sale or exchange shall not be exercised without the consent of the Board.

(3.) With a view to the due enforcement of the provisions of the

25 Public Health Acts, a parish council shall have and may exercise, within, or in respect to, the parish the same powers as are conferred upon any two householders by section ninety-six of the Public Health (Scotland) Act, 1867, and upon any five ratepayers by

30 section seventeen of the principal Act, and upon a county council sub-section (2) of section fifty-three of the principal Act.

30 & 31 Vict.
c. 101.

(4.) A parish council shall have the same power of making a representation with respect to allotments as is conferred on parliamentary electors by the Allotments (Scotland) Act, 1892.

After a parish council is elected for any parish, the powers and

35 duties of allotment managers under the Allotments (Scotland) Act, 1892, shall be exercised and performed by the parish council, and they shall not be subject to removal under the provisions of the said Act.

(5.) A parish council shall have the same power of making any

40 complaint or representation as to unhealthy dwellings or obstructive buildings as is conferred on inhabitant householders by the Housing of the Working Classes Act, 1890.

A.D. 1894.

Powers for
acquisition
of land.

25.—(1.) For the purpose of the acquisition of land by a parish council, the Lands Clauses Acts shall be incorporated with this Act, except the provisions of these Acts relating to the purchase and taking of land otherwise than by agreement.

(2.) If a parish council are unable to acquire by agreement, and on reasonable terms, suitable land for any purpose for which they are authorised and desire to acquire it, they may make a representation to the county council, and the county council shall inquire into the representation. 5

(3.) If on any such representation, a county council are satisfied that suitable land for the purpose of the parish council cannot be acquired on reasonable terms by voluntary agreement, and that the circumstances are such as to make it proper that the county council should proceed under this section, they shall publish once at the least in each of two consecutive weeks in some newspaper circulating in the locality, an advertisement stating shortly the purpose for which the land is proposed to be taken, mentioning a place at which a plan of the proposed works, if any, may be seen at reasonable hours, and stating the quantity of land that is required. Thereafter they shall cause public inquiry to be made in the parish, and notice to be given, both publicly in the parish and severally to the owners, lessees, and occupiers of the land proposed to be taken, either by delivery at, or by post in a registered letter addressed to, the usual or last known place of abode of such owners, lessees, and occupiers, and all persons whose interests would be affected shall be permitted to attend at the inquiry, and to support or oppose the taking of the land. 15 20 25

(4.) After the completion of the inquiry, and after considering all objections made by any persons whose interests would be affected, the county council may make an order for putting in force, with respect to the said land or any part thereof, the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement. 30

(5.) If in any case the county council refuse to make such order, the parish council may appeal to the Board, and the Board after local inquiry may, if they think proper, make the order, and this section shall apply as if the order had been made by the county council. Any order made under this sub-section overruling the decision of the county council shall be laid before Parliament. 35

(6.) A copy of any order made under this section shall be served by the county council in the manner in which and upon the person or persons upon whom notices in respect of such land are 40

A.D. 1894.
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herein-before required to be served, together with a statement that the order will become final and have the effect of an Act of Parliament, unless within a period of one month after such service, a memorial by some person whose interests would be affected is presented to the Board, praying that the order shall not become law without further inquiry.

(7.) The order shall be deposited with the Board, who shall inquire whether the provisions of this section have been in all respects complied with; and if the Board are satisfied that this has been done, then, after the expiration of the said period of one month—

(a.) If no memorial has been presented, or if every such memorial has been withdrawn, the Board shall without further inquiry confirm the order :

15 (b.) If a memorial has been presented, the Board shall proceed to hold a local public inquiry, and shall, after such inquiry, either confirm, with or without amendment, or disallow the order :

20 (c.) Upon any such confirmation, the order, and if amended, as so amended, shall become final, and have the effect of an Act of Parliament, and the confirmation by the Board shall be conclusive evidence that the order has been duly made, and is within the powers conferred by this Act, and that the requirements of this Act have been complied with.

25 (8.) Where the Board are authorised, or required, to make any inquiry under this section, they may cause such inquiry to be made by any inspector or officer of the Board, or by any other person specially nominated in writing by the Board, and such inspector or officer or person shall be entitled to summon witnesses, and examine them on
30 oath, and to call for the production of books, documents, and accounts. The costs incurred in such inquiry, including the remuneration of any person specially nominated to hold the same, not exceeding three guineas a day, shall be paid by the county councils and other authorities concerned in such inquiry, or by such of them and in such proportions as the Board may direct, and the said Board may certify the
35 amount of the costs incurred, and any sum so certified shall be a debt to the Board from the county council or authority directed to pay the same.

(9.) The order shall be carried into effect by the county council.

40 (10.) Any order made under this section for the purpose of the purchase of land otherwise than by agreement, shall incorporate the Lands Clauses Acts, and sections seventy to seventy-eight (both inclusive) of the Railway Clauses (Scotland) Consolidation Act,

A.D. 1894. 1845, with any adaptations which may be prescribed by general order of the Board : provided that—

- (a.) Any question of disputed compensation shall be referred to the arbitration of a sole arbiter appointed by the parties, or if the parties do not concur in the appointment of a sole 5 arbiter then, on the application of either of them, by the Board, and the remuneration to be paid to the arbiter appointed by the Board shall be fixed by the Board. An arbiter appointed under this sub-section shall be deemed to be an arbiter within the meaning of the Lands Clauses Acts, and 10 the provisions of these Acts with respect to an arbitration shall apply accordingly; and the arbiter shall, notwithstanding anything in the said Acts, determine the amount of the expenses in the arbitration, and such determination shall be final; and 15
- (b.) In determining the amount of disputed compensation, the arbiter shall not make any allowance in respect of the purchase being compulsory.

(11.) At any inquiry or arbitration held under this section, the person or persons holding the inquiry or arbitration, shall hear any 20 authorities or parties whose interests would be affected, by themselves or their agents, and may hear witnesses, but shall not, except with consent of the Board, hear counsel or expert witnesses.

(12.) A person holding a public inquiry for the purposes of this section on behalf of the county council, shall have the same powers 25 as, and may receive remuneration not exceeding that payable to, a person specially nominated by the Board to hold such an inquiry under this section.

(13.) The county council or Board, as the case may be, shall not make any order for purchasing any park, garden, pleasure ground, 30 or other land required for the amenity or convenience of any dwelling-house, or any land the property of a railway company or canal company which is or may be required for the purposes of their undertaking.

(14.) The county council or Board, as the case may be, shall in 35 making an order for purchasing land, have regard to the extent of land held in the neighbourhood by any owner, and to the convenience of other property belonging to the same owner, and shall, so far as is practicable, avoid taking an undue or inconvenient quantity of land from any one owner.

(15.) Any land acquired under this section shall be vested in the parish council. 40

(16.) The expenses of a county council incurred under this section shall be defrayed by the parish council. A.D. 1894.

(17.) The Board shall, in their annual report, include a statement of any proceedings under this section.

5 **26.—**(1.) A parish council shall have power to take land on lease for allotments or for common pasture not exceeding twenty acres in extent, and if they are satisfied that allotments or common pasture are required, and are unable to obtain on lease by agreement on reasonable terms suitable land for allotments or for common
10 pasture, they shall represent the case to the county council, and the county council may, subject to the restrictions in this section, make an order authorising the parish council to take on lease compulsorily for allotments, for a period of not less than ten
15 years nor more than thirty-five years, such land in or near the parish as is specified in the order, and the order shall, as respects confirmation and otherwise, be subject to the like provisions as if it were an order of the county council made under the last preceding section of this Act, and that section shall apply as if it were
20 herein re-enacted with the substitution of taking on lease for purchase, and with the other necessary modifications.

Leasing of
land for
allotments.

(2.) A single arbiter, who shall be appointed in accordance with the provisions of the preceding section, and to whom the provisions of that section shall apply, shall have power to determine any question—

- 25 (a) as to the terms and conditions of the proposed lease; or
 (b) as to the amount of compensation for severance; or
 (c) as to the compensation payable to any tenant upon the determination of his tenancy; or
 (d) as to the apportionment of the rent between the land taken
30 by the parish council and the land retained by the tenant; or
 (e) as to any other matter incidental to the taking on lease of the land by the council, or the surrender thereof at the end of their tenancy;

but the arbiter, in fixing the rent, shall not make any allowance
35 in respect of the lease being compulsory.

(3.) Any compensation awarded to a tenant in respect of any depreciation of the value to him of the residue of his holding caused by the withdrawal from the holding of the land taken on lease by the parish council, shall, as far as possible, be provided for by taking
40 such compensation into account in fixing, as the case may require, the rent to be paid by the parish council for the land taken on lease by them, and the apportioned rent, if any, to be paid by the tenant

A.D. 1894. — for that portion of the holding which is not taken on lease by the parish council.

(4.) The award of the arbiter, or a copy thereof, together with a report signed by him as to the condition of the land taken by the parish council, shall be deposited and preserved with the public 5 books and papers of the parish council, and any person interested shall at all reasonable times be at liberty to inspect the same, and to take copies thereof.

(5.) Save as herein-after mentioned, sections five to eight and section twelve of the Allotments (Scotland) Act, 1892, shall apply 10 to any allotment taken on lease by a parish council in like manner as if that council were the local authority and also the allotment managers :

Provided that the parish council—

(a) may let to one person an allotment or allotments exceeding 15 one acre, but, if the land is taken on lease compulsorily, not exceeding in the whole four acres of pasture or one acre of arable and three acres of pasture, or of four pounds in annual value ; and

(b) may permit to be erected, on the allotment, any stable, byre, 20 or barn ; and

(c) shall not break up, or permit to be broken up, any permanent pasture, without the assent in writing of the landlord.

(6.) On the determination of any tenancy, created by a compulsory lease, a single arbiter who shall be appointed in accordance with the 25 provisions of the last preceding section and to whom the provisions of that section shall apply, shall have power to determine the amount due by the landlord for compensation for improvements, or by the parish council for depreciation.

(7.) The order for compulsory taking on lease may apply, with 30 any adaptations which may be prescribed by general or special order of the Board, such of the provisions of the Lands Clauses Acts, (including those relating to the acquisition of land otherwise than by agreement), as appear to the county council or Board sufficient for carrying into effect the order, and for the protection of the 35 persons interested in the land and of the parish council.

(8.) Nothing in this section shall authorise the compulsory taking on lease of any mines or minerals, or confer the right to take, sell, or carry away, any stone, gravel, sand, or clay, or authorise the taking on lease of any land which is already owned or occupied as 40
55 & 56 Vict. a small holding within the meaning of the Small Holdings Act, c. 31. 1892, or under the Crofters Holdings Act, 1886, or any Act amending the same.

A.D. 1894.

(10.) If the land hired under this section shall at any time, during the tenancy thereof by the parish council, be shown to the satisfaction of the county council to be required by the landlord for the purpose of working and winning the mines, minerals, or surface minerals thereunder, or for any road or work to be used in connexion with such working or winning, it shall be lawful for the landlord of such land to resume possession thereof upon giving to the parish council twelve calendar months previous notice in writing of his intention so to do, and upon such resumption, the landlord shall pay to the parish council and to the allotment holders of the land for the time being, such sum by way of compensation for the loss of such land for the purposes of allotments as may be agreed upon by the landlord and the parish council, or in default of such agreement, as may be awarded by a single arbiter, who shall be appointed in accordance with the provisions of the last preceding section and to whom the provisions of that section shall apply.

The word "landlord" in this sub-section means the person for the time being entitled to receive the rent of the land taken on lease by the parish council.

(11.) The Board shall, in their annual report, include a statement of any proceedings under this section.

27.—(1.) A parish council may for the purposes of this Part of this Act, (including any annual charge, whether of principal or interest, in respect of any loan), levy within the parish a rate not exceeding sixpence in the pound on the annual value of the lands and heritages within such parish, as ascertained for the purposes of the Poor Law (Scotland) Act, 1845, in this Act referred to as the special parish rate.

Special
parish rate
may be
levied.

(2.) Such special parish rate shall, subject to the provisions of this Act, be levied and collected along with, and as an addition to, the poor rate, and with the same remedies and modes of recovery, but in the demand note the special parish rate shall be separately set forth and demanded.

Provided that, in parishes where no poor rate is levied, or where the poor rate is imposed according to the provisions of a local Act, or according to established usage, such special parish rate shall be levied according to the mode of assessment specified in section thirty-four of the Poor Law (Scotland) Act, 1845.

(3.) In parishes in which powers and duties are exercised and performed under this part of this Act by a landward committee, such landward committee shall annually and not later than the twelfth day of June in each year, certify to the parish council the

A.D. 1894. — amount, if any, required to be provided by means of a special parish rate, and the parish council shall, as soon as may be, pay to the landward committee such amount.

Borrowing
by parish
council.

28.—(1.) A parish council, acting under this Part of this Act, may, for any of the following purposes, that is to say— 5

(a) for purchasing any land, or erecting any buildings, which they are authorised to purchase or erect; and

(b) for any permanent work or other thing which they are authorised to execute or do, and the cost of which ought, in the opinion of the Board, to be spread over a term of years; 10

borrow money, with the consent of the Board.

(2.) In parishes where powers and duties under this Part of this Act are exercised and performed by a landward committee, it shall be the duty of the parish council to transmit to the Board, any recommendation of the landward committee for the raising of a 15 loan in terms of this section; and, provided the necessary consent be given, to raise the loan accordingly.

(3.) Any loan under this Part of this Act shall be made on the security of the special parish rate.

(4.) A county council may lend to a parish council any money 20 which the parish council are authorised to borrow under this Part of this Act, and may, if necessary, raise the money by loan.

(5.) A loan raised by a parish council under this section shall be repaid—

(a) if for the purchase of land or the erection of buildings, within 25 such period not exceeding forty years; and

(b) if for any other purpose, within such period not exceeding thirty years

as the Board may determine in each case.

(6.) A parish council shall pay off every loan under this section, 30 either by equal yearly or half yearly instalments of principal, or of principal and interest combined, or by means of a sinking fund set apart, invested and applied in accordance with regulations which may from time to time be made, in that behalf, by the Secretary for Scotland.

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Parish foot-
paths.

29. The parish council in a landward parish and the landward committee in a parish which is partly landward and partly burghal may undertake the repair and maintenance of all or any of the public ways (not being highways or footpaths at the side of a highway within the meaning of the Roads and Bridges (Scotland) Act, 1878) within the parish, and the expense of such repair and 40 maintenance shall be defrayed out of the special parish rate, but

this power shall not nor shall the exercise thereof relieve any other authority or person from any liability with respect to such repair or maintenance. A.D. 1894.¹

- 30.** Upon the application of the parish council of a landward parish, or the landward committee of a parish which is partly landward and partly burghal, it shall be lawful for the district committee, subject to the approval of the county road board, and the county council, or, where a county is not divided into districts, it shall be lawful for the county council, to construct any new road or bridge, subject to the condition that the expense of such construction and of the management, maintenance, and repair of such road or bridge, as certified by the county clerk shall be a debt from the parish council or landward committee, as the case may be, to the county council, and in such case the expense of such construction, management, maintenance, and repair shall be a charge upon the special parish rate of the parish, and such construction shall be deemed to take place under section fifty-eight of the Roads and Bridges (Scotland) Act, 1878.
- Parish roads and bridges.

PART V.—PARISH TRUSTS.

- 31.—(1.)** When trustees hold any property wholly or mainly for the benefit of the inhabitants of a single parish or any of them, or for any public purpose connected with a single parish other than—
- (a) for an ecclesiastical charity;
 - (b) for an educational endowment within the meaning of the Educational Endowments (Scotland) Act, 1882; or
 - (c) for the use or benefit of the poor of the parish or any of them within the meaning of section fifty-two of the Poor Law (Scotland) Act, 1845;
- they may transfer the property to the parish council of the parish, or to persons to be from time to time appointed by that council, and the parish council, if they accept the transfer, or persons whom they appoint, shall hold the property on the trusts and subject to the conditions on which the trustees hold the same.
- (2.)** In the event of any such property not being transferred to the parish council under and subject to the provisions of the preceding sub-section, the parish council of the parish concerned may from time to time appoint such number of additional persons to act along with the trustees of the said property, as may be approved by the Board in each case. Provided that when the trustees of any such property are elected by, or include persons
- Powers of parish councils over parish charities and churchyards.

A.D. 1894. — elected by, parish electors or inhabitants of the parish, or are members of the county or town council, or are burgh commissioners, the provisions of this sub-section shall not apply unless the Board by order so prescribe.

(3.) Where the trustees of any such property are the kirk session, or the heritors and kirk session, of any parish or the kirk session or deacons court, or managers, or vestry of a congregation belonging to any religious denomination to the number, whether alone or conjoined with others, of not less than six persons, the said trustees shall from time to time appoint certain of their own number, not exceeding three, and the parish council of the parish shall from time to time appoint such number of additional persons as the Board may in each case approve, to act together in the management of the said property, and such management shall be transferred to them as a committee of management accordingly, and the committee of management shall, as soon as may be, prepare a scheme for the management of the said property, which they shall report to the Board, and the Board may by order approve or disapprove thereof, or make such alterations thereon as they may determine, and thereafter such scheme shall have effect.

(4.) When trustees hold any property for the benefit of the inhabitants of, or for any public purpose (other than as hereinbefore mentioned) connected with two or more parishes, the parish councils of the parishes concerned may, if the Board so decide, from time to time appoint, in such manner or rotation and subject to such conditions as may be prescribed in any order of the Board, such number of additional persons to act along with the trustees of the said property as may be approved by the Board in each case.

(5.) The Board may by order prescribe rules (1) as to the form in which the accounts of any property dealt with in this section shall be kept, and (2) as to the publication of the said accounts.

(6.) Whilst a person is trustee of any property or revenues falling within the provisions of this section, he shall not, nor shall his wife or any of his children, receive any benefit therefrom.

(7.) The heritors of any parish may transfer the property of any churchyard which they hold to the parish council, and the parish council, if they accept such transfer, shall thereafter hold such churchyard for the same purposes and subject to the same rights for and subject to which it was held by such heritors, and shall have and may exercise and perform all the powers and duties before such transfer vested in or imposed on such heritors in relation to the churchyard transferred (except any power or duty of enlarging

or extending such churchyard and assessing for the cost of such enlargement or extension): Provided that the costs of maintenance and management of such churchyard after such transfer shall, if and so far as they require to be defrayed out of any rate, be a charge upon the poor rate: and Provided also that such transfer shall not alter or transfer any liability to assess for the repayment of any debt or the incidence of any assessment levied for such repayment. After such transfer the powers and duties transferred shall no longer be exercised and performed by such heritors.

A.D. 1894.

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PART VI.—SUPPLEMENTAL.

32. The parish electors and the parish council shall be entitled to use, free of charge, at all reasonable times, except during ordinary school hours, and after reasonable notice, for any purpose under this Act, or under the Poor Law (Scotland) Act, 1845, the Education (Scotland) Acts, 1872 to 1883, or the principal Act, including public meetings in connection with the candidature of any person for the county council or the parish council, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any parish rate or assessment.

Use of schoolrooms.

Provided that this enactment shall not authorise the use of any room used as part of a private dwelling-house.

Provided also that any expense reasonably incurred by the person or persons having control over the room, or any damage done to the room or its contents in consequence of its being so used shall be defrayed by such parish electors or the parish council who, when the meeting is called for the purposes of any candidature, shall be entitled to recover such expense from the person or persons calling the meeting.

33. Every parish council elected in pursuance of this Act, shall be incorporated under the name of the parish council of the parish, with power to sue and be sued, and shall have perpetual succession.

Incorporation of parish council.

34. A parish council may from time to time appoint, from their own number, committees for the exercise of any powers which can properly be exercised by committees, and no committee of a parish council shall hold office beyond the next statutory meeting of the council following its appointment, provided that a parish council shall not delegate to a committee any power of raising money by rate or loan.

Committees of parish councils.

35. Any parish councils, or parish councils and county councils or district committees or town councils or burgh commissioners, may,

Appointment of joint committees.

[337.]

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A.D. 1894. from time to time, join in appointing, out of their respective bodies, a joint committee for any purpose of this Act in which they are jointly interested, and the provisions of section seventy-six of the principal Act, with regard to the appointment and powers of joint committees of county councils, or of county councils and town 5 councils, shall, with the necessary variations, apply to joint committees appointed under this section.

Parish
accounts.

36.—(1.) (a.) All receipts of a parish council relating to or arising out of powers transferred to them by Part III. of this Act shall be carried to a general parish fund; and 10

(b) All receipts of a parish council or landward committee in relation to or arising out of powers conferred upon them by Part IV. of this Act shall be carried to a special parish fund; and

(c.) All payments in relation to or arising out of the said powers respectively shall be made out of the said funds respectively. 15

A separate bank account shall be kept for each fund and all cheques for payment of moneys shall be signed by two members of the parish council and be countersigned by the treasurer or clerk. The Board shall make rules as to the method in which payments shall be made by a parish council and by a landward committee. 20

(2.) A parish council and a landward committee shall keep such accounts of the above-mentioned funds, and of the sums raised by rates, as will prevent a rate from being applied to any purpose to which it is not properly applicable. The Board shall prescribe forms in which such accounts shall be kept. 25

Audit of
accounts.

37. The provisions contained in the principal Act, with respect to the making up and auditing of the accounts of a county council shall, with the substitution of "parish council" for "county council" and "clerk of the parish council" for "county clerk," and "parish" for "county" or "burgh," and "the Board" for "the 30 Secretary for Scotland," apply to the making up and auditing of the accounts of a parish council, subject to the following provisions, that is to say :

(1.) The accounts of the parish council shall be audited by an auditor appointed by the parish council, subject to the approval 35 of the Board.

(2.) The parish council may determine the place which shall be deemed to be the offices of the council for the purposes of the audit.

(3.) The Board may prescribe a scale for the remuneration of 40 auditors in respect of their duties under this section.

38. At a meeting in the month of July in each local A.D. 1894.
financial year every parish council shall cause to be submitted to them the estimates of the receipts and expenditure of such council, including those of a landward committee or other committee thereof, Local annual budget.
- 5 during that financial year, whether on account of property, contributions, rates, loans, or otherwise, and shall revise such estimates (other than those of any landward committee), and authorise such expenditure and make such provision for meeting the same, as they shall approve.
- 10 39.—(1.) If and so long as the amount of loans owing by any parish council for the time being exceeds one-fifth of the annual value of the lands and heritages within such parish as ascertained for the purposes of the Poor Law (Scotland) Act, 1845, no further loan, other than a temporary loan in terms of section eighty-nine of
15 the said Act, shall be raised by such parish council without the consent of the Board.
- (2.) Where money has been borrowed by a parish council, or by a parochial board, the parish council shall, until the loan has been extinguished, within twenty-one days after the expiration of each
20 local financial year, transmit to the Secretary for Scotland a return in such form, and verified in such manner, as he may from time to time prescribe, showing the amount of the loan still outstanding, and the steps which have been taken to comply with the provisions of this or any other Act in regard to its payment and discharge.
- 25 40.—(1.) It shall be the duty of the Board, and of every county council and town council, to exercise all powers which may be requisite for bringing this Act into full operation as soon as may be after the passing thereof. Duty of Board and of county and town councils to bring Act into operation.
- (2.) Where the Board are authorised or required by any Act to
30 make or confirm any order, rule, or regulation, or to give any consent, sanction, or approval, or otherwise to act, they may cause a local inquiry to be held in terms of sub-section eight of section twenty-five of this Act, and the provisions of that sub-section shall apply accordingly.
- 35 41. The chairman of a district committee or of a parish council, unless a woman or personally disqualified by any Act, shall by virtue of his office be a justice of the peace for the county in which the district or parish is situate. Chairman of district committee to be justice.

42. If a parish councillor is absent from meetings of the parish
40 council for more than six months consecutively, then, except in Absence from meetings.

A.D 1894. — case of illness or for some reason approved by the parish council his office shall, on the expiration of the said six months, become vacant, and the vacancy may be filled as a casual vacancy.

Protection
of rights-of-
way.

43.—(1.) It shall be the duty of a town council or the burgh commissioners of any burgh (including police burghs) administering its roads, and of a district committee, and, where there is no district committee, of the county council, to assert, protect, and keep open and free from obstruction or encroachment any right-of-way, whether wholly within or partly within and partly without the burgh, county, or district, which it may appear to them that the public have acquired by grant, prescriptive use, or otherwise, and they may for the purpose of carrying this section into effect, institute and defend any legal proceedings and generally take such steps as they may deem expedient.

(2.) Where a parish council, or any six parish electors, of a parish have represented to the district committee or, where there is no district committee, to the county council, that any public right-of-way within the district, or beneficial to any inhabitants of the district, has been or is likely to be shut, or obstructed, or encroached upon, it shall be the duty of the district committee, or, where there is no district committee, of the county council, if they are satisfied that the representation is well founded, to take such proceedings as may be requisite for its vindication; and if the district committee refuse or fail to take proceedings in consequence of such representation, the parish council, or the electors who made the representation, may petition the county council, and if the council so resolve, the powers and duties of the district committee under this section, in relation to such right of way, shall be transferred to the county council.

(3.) Any expenditure incurred by a county council or a district committee thereof in connexion with any legal or other proceedings, under the two preceding sub-sections, or either of them, shall be defrayed out of the road rate for the district, or, where a county is not divided into districts, out of the road rate for the county. Provided always, that any litigant who is successful against the county council or district committee shall not be assessed for such portion of the road rate as is rendered necessary by such expenditure. It shall be in the power of the county council, or district committee, or parish council, within their respective districts, or of any member or members of the public, with the consent of any one of these bodies, to erect and maintain guide posts and direction notices upon any right of way.

44. Any heir of entail in possession of land in Scotland, and the trustee, tutor, and curator of such heir of entail, if in minority or subject to any legal incapacity, may give and grant to a parish council, or to the commissioners of a police burgh, land belonging
 5 to the entailed estate to be used for public recreation, but not exceeding in the whole twenty acres: Provided that no such grant shall be effectual unless the heir of entail next in succession of lawful age shall consent thereto; and the land so given and granted shall not be liable to nor affected by any other rights,
 10 titles, trusts, interests, or incumbrances to, in, or upon the same whatsoever, and such heir of entail shall not thereby be subject to nor incur any forfeiture or irritancy under the entail thereof: Provided always, that such land shall not be within half a mile of the mansion house in the natural possession of the proprietor, or
 15 part of any gardens, orchards, or enclosures adjacent to the mansion house which have usually been in the natural possession of the proprietor.

A.D. 1894.

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 Powers to heirs of entail to grant land belonging to an entailed estate.

45.—(1.) It shall be lawful for a parish council or for any two or more parish councils, or for not fewer than ten parish electors of
 20 any landward parish or of the landward part of any parish partly landward and partly burghal to make a requisition in writing to the district committee of the county council, or when a county is not divided into districts to the county council, calling upon them to form such parish or parishes or landward part of a parish or any
 25 portion or portions thereof into a special district for the following purposes or any one or more of them; that is to say,—

Formation of lighting and scavenging districts, and provision of public baths

(a.) The lighting of the special district and the adoption for such purpose by the district committee or county council as the case may be of the provisions contained in sections ninety-nine, one
 30 hundred and one hundred and one, one hundred and two, one hundred and three, one hundred and four, and one hundred and five of the Burgh Police (Scotland) Act, 1892, or any one or more of them.

56 & 57 Vict.
 c. 55.

(b.) The scavenging of, and the removal of dust, ashes, and other refuse from, the lands and premises in such special district, and the adoption for such purposes by the district committee or the county council as the case may be, of the provisions contained in sections one hundred and seven to one hundred and twenty-seven, inclusive, of the Burgh Police (Scotland) Act,
 35 1892, or any one or more of them.

(c.) The provision and maintenance of public baths or bathing places, wash-houses, and drying grounds, and the adoption for such purposes by the district committee or county council as

A.D. 1894.

the case may be of the provisions contained in sections three hundred and nine to three hundred and fourteen, inclusive, of the Burgh Police (Scotland) Act, 1892, or any one or more of them.

(2.) Upon such requisition being received, the district committee or county council as the case may be shall be bound to meet, after twenty-one clear days notice, and shall consider the propriety of forming such parish or landward part of a parish or portion thereof into a special district, and shall by resolution either approve or disapprove of the formation of a special district (which shall in no case include a police burgh or any portion thereof) for the purposes stated in the requisition or any one or more of them, and, if they approve thereof, shall define the boundaries of such special district and specify which of the provisions of the Burgh Police (Scotland) Act, 1892, referred to in the preceding sub-section are to be adopted therein. Such resolution shall be final, subject to the provisions of sub-section three of this section, and in the event of the district committee or county council as the case may be disapproving of the formation of a special district as proposed in a requisition, it shall not be competent to make another requisition to the same effect until after the expiration of twelve months. A copy of every such resolution shall be forthwith published in one or more newspapers circulating in the district and transmitted to the Board and to the county council.

(3.) Where the proposed special district is co-extensive with or comprises the whole or part of the area of any special drainage or water supply district formed under the Public Health Acts, the consent of the county council shall be required to any resolution approving of the formation of a special district under this section, and in giving or refusing such consent the county council shall take into consideration the whole circumstances of the case, including the amount of the rates levied for the time being under the Public Health Acts and the principal Act within the proposed special district, and the county council may consent to the resolution either with or without modifications.

(4.) On the adoption by a district committee or county council as the case may be of any of the provisions above mentioned, such provisions shall have effect within or in relation to the special district, subject to the provisions of the Fourth Schedule to this Act annexed.

(5.) The area of a special district formed under this section may be enlarged, and two or more special districts may be combined from time to time by resolution of the district committee or

county council as the case may be in terms of this section, with or without a requisition. A.D. 1894.

(6.) Any expenditure attending the formation of a special district, or the carrying out within such special district of the purposes of this section or of any of them, shall be paid out of an assessment to be imposed by the county council within the special district to be called the special district rate and levied along with and as an addition to and in excess of the public health rate, and with the same remedies and modes of recovery, provided that such special district rate shall not exceed ninepence in the pound, and a county council may borrow for such of the said purposes as the Secretary for Scotland may by order prescribe on the security of such special district rate.

(7.) The total amount required to be raised (so far as within a county) by a public health rate may be certified by the county council to the parish council, and may be collected by the parish collector along with the poor rate of the parish. The amount collected in such case shall be paid over to the county council without any deductions, but the expense of collection (including the reasonable remuneration of the collector) shall be a debt from the county council to the parish council.

(8.) Where a special district has been formed in any parish under this section, the district committee or the county council as the case may be may, subject to regulations to be from time to time made with the consent of the county council, appoint annually a sub-committee for carrying out the purposes for which such special district has been formed, and such sub-committees shall in whole or in part consist of parish councillors of the parish or parishes in which the special district is situated whether members of the district committee or not.

(9.) From and after the first election in a county of parish councillors, sub-section one of section eighty-one of the principal Act shall be read as if for the words "shall in part consist of persons, whether members of the district committee or not, who are resident within the special drainage district or special water supply district," there were substituted the words "shall in whole or in part consist of parish councillors of the parish or parishes in which the special district is situated, whether members of the district committee or not," and the number of a sub-committee appointed under the said section may, failing agreement between a district committee or county council and a town council or the commissioners of a police burgh, be determined by the Secretary for Scotland.

A.D. 1894.

Valuation
roll to show
special
districts.

46.—(1.) The assessor of a county in making up the valuation roll of the county shall distinguish in the valuation roll lands and heritages situated within the boundaries of each police burgh, each special water supply and special drainage district, each special district formed under section sixty-two of this Act, and any part of a parish for which a landward committee is constituted in terms of this Act. 5

(2.) The provisions of section five of the Valuation of Lands (Scotland) Act, 1867, as extended by the Valuation of Lands (Scotland) Amendment Act, 1887, with regard to separate valuations of portions of railways, waterworks, gasworks, and other undertakings included within the limits of burghs, towns, or populous places, shall extend to counties outwith the boundaries of police burghs in like manner as if they were herein re-enacted with the substitution of the expression “county clerk” for “town clerk, or clerk of the commissioners, or trustees of police,” and of “special water supply district, special drainage district, special district formed under section sixty-two of the Local Government (Scotland) Act, 1894, and any part of a parish for which a landward committee is constituted in terms of the said Act,” for “burghs, towns, and populous places.” 10 15 20

Additional
powers to
alter parish
areas.

47. An order of the Secretary for Scotland, under section fifty-one of the principal Act, for altering the boundaries of any parish or for uniting several parishes or parts of parishes into one parish by the creation of a new parish or otherwise, or annexing one or more of such parishes or parts of parishes to a larger parish, or for dividing any parish or for uniting any subdivision of a parish with any other parish, or for the proper adjustment and distribution of the powers, property, liabilities, debts, officers, and servants of any local authority consequential on any such consolidation, alteration of boundaries, or division shall, notwithstanding anything to the contrary contained in the principal Act, be final and have the effect of an Act of Parliament when made, provided that before making any such order, the Secretary for Scotland shall consult with the authorities concerned, and shall cause the proposed order to be published in the “Edinburgh Gazette,” and in such other manner as to make the same known to all persons interested, and shall consider all objections and representations respecting such order, and may thereafter make the order and cause the same to be forthwith published in the “Edinburgh Gazette,” and provided further that in addition to the provisions of the principal Act any such order may be made on the representation of a parochial board or parish council, or the commissioners of a police burgh or a 25 30 35 40

school board. The words "in the county" occurring in sub-section (e) of section fifty-one of the principal Act are hereby repealed. A.D. 1894.

48.—(1.) Every rate and requisition for sums of money made before the eleventh day of December in the year one thousand eight hundred and ninety-four, may be levied and collected, and proceedings for the enforcement thereof may be taken in like manner, as nearly as may be, as if this Act had not passed. Current rates.

(2.) The accounts of all moneys received or expended before the eleventh day of December in the year one thousand eight hundred and ninety-four, shall be audited and other consequential proceedings taken in like manner as nearly as may be as if this Act had not passed, and every officer whose duty it is to make up any accounts, or to account for any portion of the moneys received or expended in any account shall, until the audit is completed, be deemed for the purpose of such audit to continue in office and be bound to perform the same duties and render the same accounts as if this Act had not passed.

49.—(1.) All such property as belongs, or would, but for the passing of this Act, belong to or be vested in, or held in trust for, any authority whose powers and duties are, by or in pursuance of this Act, transferred to a parish council shall, from and after such transference, pass to, and vest in, and be held in trust, for such parish council, subject to all debts and liabilities affecting the same, and shall be held by the parish council for the purposes for which such property is or would have been held, so far as such purposes are not modified by this Act; and if any question shall arise between any such authority and a parish council as to the heritable or movable property transferred by or in pursuance of this Act, the same, failing agreement, shall be determined by the Board. Transfer of property.

(2.) The parish council shall have full power to manage, alter, and enlarge, and, with the consent of the Board, to alienate lands and heritages transferred by this section, and may from time to time provide such accommodation and rooms, and such furniture, books, and other things as they may reasonably require for the transaction of their business.

50. All debts and liabilities of any authority whose powers and duties are transferred by or in pursuance of this Act to a parish council, shall become debts and liabilities of such council, and shall, from and after such transfer and subject to the provisions of this Act, be defrayed by them out of the like funds out of which they would have been defrayed if this Act had not passed. Transfer of debts and liabilities.

A.D. 1894.

Existing
officers and
servants.

51. All persons who on the eleventh day of December one thousand eight hundred and ninety-four hold office as inspector of the poor of the parish or collector of poor rates, or are officers of a parochial board, under any Acts of Parliament, or are servants of such board and perform any duties in respect of the business transferred by, or in pursuance of, this Act to a parish council shall, thereafter, become the officers and servants of the parish council. 5

Tenure and
duties of
officers
transferred
to parish
council.

52.—(1.) The officers and servants of any authority who hold office at the passing of this Act, and who by or in pursuance of this Act become officers and servants of a parish council (in this Act referred to as existing officers) shall hold their offices by the same tenure, and upon the same terms and conditions as if this Act had not passed, and while performing the same duties shall receive not less salaries or remuneration and be entitled to not less pensions (if any) than they would have received or been entitled to if this Act had not passed. 10 15

(2.) A parish council may distribute the business to be performed by existing officers and may combine their duties in such manner as the council may think expedient, and every existing officer shall perform such duties in relation to such business as may be directed by the council. 20

(3.) Any parish councils, or parish councils and county councils or district committees or town councils or burgh commissioners, may, from time to time, join in making such arrangements with regard to the conduct and management of their business, including the collection of rates, whether leviable by a parish council, or by a county council, or town council, or burgh commissioners, and the distribution of such business among their officers, as shall seem to them, in the whole circumstances of the case, to be most effective and economical. 25 30

Saving for
pending
actions, &c.

53.—(1.) If at the time of the transfer, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against any authority in relation to any powers, duties, liabilities, or property by this Act transferred to the parish council, the same shall not be in anywise prejudicially affected by reason of such transfer, but may be continued, prosecuted, and enforced by or against the parish council, as successors of such authority, in like manner as if such transfer had not taken place. 35

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made and subsisting at the time of the transfer, and affecting any such powers, duties, liabilities, or property of any authority as are by this Act transferred to a parish 40

council, shall be of as full force and effect against or in favour of the parish council, and may be enforced as fully and effectually as if instead of such authority the said parish council had been a party thereto. A.D. 1894.

- 5 **54.** Nothing done in pursuance of this Act shall prejudicially affect any securities granted, before the time of the transfer, on the credit of any rate or property by this Act transferred to a parish council, and all such securities, as well as all unsecured debts, liabilities, or obligations lawfully incurred by any authority, body, or person, in the exercise of any power or in relation to any property transferred from them to the parish council under this Act, shall be discharged, paid, and satisfied by the parish council. Saving for securities in discharge of debts.

- 15 **55.** Expressions used in this Act have the same meaning, if not inconsistent with the context, as expressions used in the principal Act: Provided that— Definitions.

The expression “police burgh” in this Act, the principal Act, the Local Taxation (Customs and Excise) Act, 1890, the Roads and Streets in Police Burghs (Scotland) Act, 1891, and the Education and Local Taxation Account (Scotland) Act, 1892, means a populous place, the boundaries whereof have been fixed and ascertained under the provisions of the Burgh Police (Scotland) Act, 1892, or of the General Police and Improvement (Scotland) Act, 1862, or of the Act first therein recited, or under the provisions of any local Act.

- 25 The expression “secretary,” includes assistant secretary;

The expression “parish” includes a combination of parishes within the meaning of section sixteen of the Poor Law (Scotland) Act, 1845.

- 30 The expression “burghal parish” means a parish which is wholly comprised within a burgh;

- The boundaries of burghs for the purposes of this Act shall be held to be the boundaries thereof as the same are or may be ascertained, fixed, or determined for police purposes, under the provisions contained in any general or local Act of Parliament, or, when no police assessment is levied, as the same are or may be ascertained, fixed, or determined for municipal purposes.

- The expression “burghal part of a parish” means any part of a parish comprised within the boundaries of a burgh, and the expression “landward part of a parish” means any part of a parish not comprised within the boundaries of a burgh.

The expression “Public Health Acts” means the Public Health (Scotland) Act, 1867, and any Act or Acts amending the same;

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The expression "Education Acts" means the Education (Scotland) Act, 1872, and any Act or Acts amending the same;

The expression "burgh" means any royal or parliamentary burgh;

The expression "footpath" includes right of way for foot passengers howsoever acquired;

The expression "ecclesiastical charity" includes a charity the endowment whereof is held for some one or more of the following purposes:—

(a) for theological instruction or for the benefit of any theological institution; or

(b) for the benefit of any ecclesiastical person or officer as such; or

(c) for use, if a building, as a church, chapel, mission hall or room, or Sunday school, or otherwise by any particular church or denomination; or

(d) for the maintenance, repair, or improvement of any such building as aforesaid, or for the maintenance of divine service therein; or

(e) otherwise for the benefit of any particular church or denomination, or of any members thereof as such:

Provided that where any endowment of a charity, other than a building held for any of the purposes aforesaid, is held in part only for some of the purposes aforesaid, the charity, so far as that endowment is concerned, shall be an ecclesiastical charity within the meaning of this Act.

Repeal of
Acts.

56. The Acts specified in the First Schedule to this Act are hereby repealed to the extent mentioned in the third column and as from the dates respectively specified in the fourth column of that Schedule, and so much of any Act as is inconsistent with this Act is also hereby repealed.

PART VII.—TRANSITORY PROVISIONS.

Transitory
provisions
for first
election.

57. With respect to the first election of parish councillors, the following provisions shall have effect; that is to say,—

(1.) The first election of parish councillors shall take place in every parish on the first Tuesday of April in the year one thousand eight hundred and ninety-five. The parish councillors then elected shall enter office on the fifteenth day of May following such election, and shall go out of office, in burghal parishes and in parishes wholly comprised within a police burgh or within a burgh and a police burgh, on the first Tuesday of November, and in all other

parishes on the first Tuesday of December, both in the year one thousand eight hundred and ninety-eight. A.D. 1894.

(2.) Before the first election of parish councillors, and not later than the twenty-eighth day of February in the year one thousand
5 eight hundred and ninety-five, a list of persons qualified to be parish electors shall be prepared, revised, and completed for each county (exclusive of any police burgh, or part thereof,) and the provisions of the Local Government (Scotland) Acts respecting a county council register shall apply to such list, subject to such
10 alterations of dates and such other necessary modifications as may be prescribed by the Secretary for Scotland in any general order under his hand and seal. Such list, when completed, shall be deemed to be the county council register for the time being within the meaning of sub-section eight of section twelve of this
15 Act.

(3) The provisions of sub-sections two and three of section twelve of this Act shall not apply to a municipal register or to the register of voters for the election in a police burgh of burgh commissioners coming into force in the month of November, in the year one
20 thousand eight hundred and ninety-four, unless so applied by order under the seal of the town council, or in a police burgh of the burgh commissioners. Provided that before the first election of parish councillors and not later than the twenty-eighth day of February in the year one thousand eight hundred and ninety-five a list of persons
25 qualified to be parish electors shall be prepared, revised, and completed for each burgh and police burgh, and the provisions of this Act respecting a municipal register or the register of voters for the election in a police burgh of burgh commissioners shall apply to such list subject to such alterations of dates and such other necessary
30 modifications as shall be prescribed by the Secretary for Scotland in any general order under his hand and seal. Such list when completed shall be deemed to be the municipal register of the burgh, or register of voters for the election in the police burgh of burgh commissioners, for the time being, within the meaning of sub-section
35 eight of section twelve of this Act.

Provided that nothing contained in this or the immediately preceding sub-section shall affect the date at which any parliamentary or municipal register of voters, or register of voters for the election in a police burgh of burgh commissioners, is fixed to come
40 into operation.

(4.) In a landward parish and in the landward part of a parish partly landward and partly burghal, except within any parish or part of a parish co-extensive with a police burgh or part thereof.

A.D. 1894. the provisions of section fourteen (excepting sub-sections one and three) of this Act shall apply to the first election of parish councillors, and the returning officer shall be appointed by the county council at their general meeting in the month of December in the year one thousand eight hundred and ninety-four, and the 5 election shall be held in the parish wards fixed by or under the provisions of this Act as nearly as may be in the same manner as an election of county councillors.

(5.) In a burghal parish and in the burghal part of a parish partly landward and partly burghal, and in any parish or part of a 10 parish co-extensive with a police burgh or part thereof, the provisions of section fifteen (excepting sub-sections one and three) of this Act shall apply to the first election of parish councillors, and the returning officer shall be appointed by the town council, or in a police burgh by the burgh commissioners, not later than the 15 thirty-first day of December in the year one thousand eight hundred and ninety-four, and the election shall be held in the parish wards (if any) fixed by or under the provisions of this Act as nearly as may be in the same manner as an election of town councillors, or, in a police burgh, of burgh commissioners. 20

(6.) The expenditure incurred in the registration of parish electors shall be deemed to form part of the expenditure incurred in the election of parish councillors.

(7.) The members of a parish council first elected under this Act shall, on the second Thursday of April, meet as a provisional parish 25 council, with power to arrange for bringing this Act into operation, and the provisional parish council shall, at that or a subsequent meeting, make provision for the performance of the duties of such parish council until the first meeting of such council; and the first meeting of the parish council shall be held on such day not later 30 than the twenty-second day of May as shall be fixed by the provisional parish council, and such meeting shall be deemed to be the statutory meeting of the parish council for the year one thousand eight hundred and ninety-five.

(8.) The parochial boards holding office at the commencement of 35 this Act, shall, notwithstanding any provision to the contrary, retain office until the fifteenth day of May in the year one thousand eight hundred and ninety-five.

SCHEDULES.

A.D. 1894.

SCHEDULE I.ENACTMENTS REPEALED.

5	1. Session and Chapter.	2. Short Title.	3. Extent of Repeal.	4. Date from which Repeal takes effect.
10	8 & 9 Vict. c. 83.	Poor Law (Scotland) Act, 1845.	Section two. Section three. Section four, except so far as it relates to the Sec- retary. Section five, except from "the Board shall have" to the end. Section six. Section seven. Section eight to "proper "and." Section eleven so far as it requires the con- sent of a Secretary of State, or Her Majesty's Advocate, to the ap- pointment and the re- muneration of a Com- missioner or Com- missioners.	The date of the establishment of the Local Government Board for Scotland.
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20				
25				
30	30 & 31 Vict. c. 101.	Public Health (Scotland) Act, 1867.	Sections nine, ten, and eleven, so far as they require the consent of a Secretary of State or Her Majesty's Advocate to any inquiry or the appointment of a Com- missioner. Section fifteen.	
35				
40	8 & 9 Vict. c. 83.	Poor Law (Scotland) Act, 1845.	Section seventeen, from "and until it shall" to the end. Sections eighteen to twenty-nine, both in- clusive. Section thirty, from "and "it shall also be law- ful" to the end. Section thirty-one. Section thirty-three, from "or for the parochial "board" to "entitled "to attend." Section thirty-eight, the words "or means and "substance." Sections forty-seven and forty-eight.	
45				The fifteenth day of May in the year one thou- sand eight hundred and ninety-five.
50				
55				

A.D. 1894.

1. Session and Chapter.	2. Short Title.	3. Extent of Repeal.	4. Date from which Repeal takes Effect.
52 & 53 Vict. c. 50.	Local Govern- ment (Scot- land) Act, 1889.	Section twenty-eight, sub- section (2), (i), the words "who is not " married, or who being " married is not living " in family with her " husband."	5 From the first day of Janu- ary, one thou- sand eight hundred and ninety-five.
44 Vict. c. 13. -	Municipal Elec- tions Amend- ment (Scot- land) Act, 1881.	Section two, the words " who are not married, " and married females " not living in family " with their husbands."	10 15

SCHEDULE II.

We, *A.B.* [*here insert name and place of abode as in the parish council register for the parish*], and *C.D.* [*here insert name and place of abode as aforesaid*], hereby propose and nominate *E.F.* [*here insert name and place of abode as aforesaid*] for election as a parish councillor [*when the parish is divided into wards, add here "for the ward," specifying such ward*] at the next ensuing parish council election in the parish of [*specify parish*]. 20

Given under our hand this [*insert date*].

A.B. _____

C.D. _____

25

to be signed also by—

Candidate.

or by—

A person duly authorised.

To _____

Returning Officer.

30

SCHEDULE III.

A.D. 1894.

The intimation or nomination of *E.F.* [*here insert name and place of abode of candidate as in the parish council register for the parish*] for election as a parish councillor [*when the parish is divided into wards, add here "for the ward," specifying such ward*] at the next ensuing parish council election in the parish of [*specify parish*] is hereby withdrawn.

Given under my hand this [*insert date*].

to be signed by—

×

Candidate.

10

or by—

×

A person duly authorised.

To _____

Returning Officer.

SCHEDULE IV.

15 (1.) Expressions occurring in the adoptive sections of the Burgh Police (Scotland) Act, 1892, shall in such sections as adopted, when not inconsistent with the context, have the meanings assigned to them respectively in that Act as read along with this Schedule: Provided that any reference to the burgh surveyor or to the private improvement assessment shall be excluded.

20 (2.) In place of the expressions occurring in the said sections specified in the first column of the list appended hereto, there shall be substituted in such sections as adopted the expressions respectively specified in the second column thereof.

(3.) The consent of the board shall be required to any bye-law made by a district committee or by a county council in terms of the said sections as adopted.

30 (4.) Section ninety-four of the principal Act shall apply to any offence against the provisions of the said sections as adopted, with the substitution (except where a county is not divided into districts) of the expression "district clerk" for the expression "county clerk" occurring therein.

List.

Commissioners	-	-	-	District committee.
Burgh	-	-	-	Special district.
Footpavement	-	-	-	Footway.
35 This Act	-	-	-	The adopted section or sections of the Burgh Police (Scotland) Act, 1892.
Inspector of cleansing	-	-	-	Sanitary inspector.
Magistrate	-	-	-	Sheriff or any two justices of the peace.
40 Burgh general assessment	-	-	-	Assessment levied in terms of section sixty-two of the Local Government (Scotland) Act, 1894.
By Special Order as herein defined	-	-	-	With consent of the county council.

Local Government (Scotland).

A

B I L L

[AS AMENDED BY THE STANDING
COMMITTEE ON SCOTCH BILLS]

To establish a Local Government Board
for Scotland, and make further pro-
vision for Local Government in
Scotland, and for other purposes.

(*Prepared and brought in by*
Sir George Trevelyan, the Lord Advocate, and
Mr. Solicitor-General for Scotland.)

Ordered, by The House of Commons, to be Printed,
27th July 1894.

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[*Price 5d.*]

[Bill 337.]

LORDS AMENDMENTS

TO THE

LOCAL GOVERNMENT (SCOTLAND) BILL.

[NOTE.—*The pages and lines refer to the Bill [No. 210] as first printed by the Lords.*]

[*The words enclosed in brackets and underlined are proposed to be inserted by the Commons.*]

Page 2.

Leave out lines 22 and 23.

Line 24, leave out (" may ") and insert (" shall ")

Page 3.

Line 20, after (" executed ") insert (" or of any action or proceeding raised ")

Page 5.

Line 5, after (" register ") insert (" exclusive of such portions thereof as relate to police burghs ")

Line 36, leave out (register of parish electors") and insert (" parish council register")

Line 42, leave out (" each ") and insert (" such ")

Page 7.

Line 32, leave out (" seven ") and insert (" fourteen ")

Page 8.

Line 13, leave out (" landward ")

Line 14, leave out (" or part of a parish respectively ")

Page 9.

Lines 9 and 10, leave out (" burghal parish or part of a parish respectively ") and insert (" parish ")

Line 40, after (" council ") insert (" or town councillors ")

Page 10.

Line 24, leave out (" on ") and insert (" in ")

Line 28, leave out (" up ")

[Bill 360.]

A

Page 11.

- Lines 14 and 15, leave out ("and of the chairman thereof")
- Line 15, leave out from ("two") to ("can") in line 16, and insert ("or more candidates receive an equal number of votes, being more than")
- Line 17, leave out ("a") and insert ("the")
- Line 25, leave out ("and") and insert ("or")

Page 12.

- Line 16, leave out from ("re-election") to the end of the sub-section.
- Line 20, after the second ("council") insert ("sitting as a district committee")
- Line 23, at the end of the clause add ("Provided always that, " in the case of parishes partly landward and partly burghal, " he shall be appointed by the landward committee from " their own number.")

Page 13.

- Line 1, leave out ("in") and insert ("for")

Page 14.

- Line 15, after ("Board") insert ("may")
- Line 43, leave out ("or other public purposes") and insert ("and for any purposes connected with parish business, or " with the powers or duties of the parish council and")

Page 15.

- Leave out lines 3 and 4.

Page 16.

- Line 43, leave out ("if they think proper")

Page 17.

- Line 30, at the end of sub-section (7) insert (" Provided always " that the Board may, and when required, within the said " period of one month, by any party interested who has " presented a memorial against the order, shall state a " special case on the question whether the proposed order " is within the powers conferred by this Act for the opinion " of either division of the Court of Session who are hereby " authorised finally to determine the same along with any " question of expenses.")

Page 18.

Line 6, leave out (" sections six and ") and insert (" section six and sections ")

Line 24, After (" compulsory ") insert as a new sub-section (" (c) The parish council shall make [and shall jointly with the proprietor maintain] sufficient fences for separating the land taken from the lands not taken.")

Line 40, after (" purchasing ") insert (" the whole or any part of ")

Page 19.

Line 2, after (" undertaking ") insert (" or any land which in
" the opinion of the county council or board is being held
" and may be required for the extension of a factory or
" public work ")

Line 31, leave out (" single ") and insert (" sole ")

Page 20.

Line 32, after (" barn ") insert (" provided that such stable,
" byre, or barn, shall not, unless erected with the assent in
" writing of the landlord, be the subject of compensation,
" but may be removed by the tenant on the determination
" of the tenancy, ")

Line 36, leave out (" single ") and insert (" sole ")

Page 21.

Line 16, after (" thereunder ") insert (" or for feuing or building ")

Line 17, after (" winning ") insert (" or feuing ")

Line 25, leave out (" single ") and insert (" sole ")

Page 23.

Line 12, leave out (" but ") and insert (" and ")

Lines 12 and 13, leave out (" of such roads or ways ")

Line 15, leave out (" such road or way ") and insert (" any such way ")

Line 18, after (" them ") insert (" as such inhabitants ")

Line 35, after (" property ") insert (" as the trustees and the
" parish council may agree upon, or in default of such
" agreement ")

Page 23.

Line 36, leave out (" when ") and insert (" where ")

Page 24.

Line 12, leave out (" when ") and insert (" where ")

Line 21, after (" shall ") insert (" hold office until his successor is appointed, and shall ")

Page 25.

Line 3, at end of clause, add (" The provisions of this section
" with respect to the appointment of trustees shall not
" apply to any charity until the expiration of forty years
" from the date of the foundation thereof, or, in the case of
" a charity founded before the passing of this Act, by a
" donor, or by several donors, any one of whom is living at
" the passing of this Act, until the expiration of forty years
" from the passing of this Act, unless with the consent of
" the surviving donor or donors.")

Page 26.

Line 33, leave out from the first (" the ") to (" Board ") in line 34.

Line 35, leave out sub-section (2) and insert new sub-section :
The Board may, by order, prescribe rules modifying the enactments as to the time and place of the audit.

After line 39, insert new sub-section :

The accounts of a parish council shall be transmitted annually by the clerk of the council as soon as may be after the fifteenth day of May, but not later than the first day of August, to the auditor appointed by the Board.

Page 29.

Line 9, leave out (" and that failing ") and insert (" or unless
" in the event of ")

Line 11, leave out (" consenting ") and insert (" refusing such consent ")

Page 32.

Line 7, at the end of the clause add the following sub-section :
(" Upon the formation of a special lighting district under the provisions of this section it shall be lawful for the district

committee to adopt the Burghs Gas Supply (Scotland) Act, 1876, and any Act amending the same, but in such case the provisions of the principal Act with respect to capital, expenditure, borrowing, and audit of accounts shall apply in lieu of the corresponding provisions of the former Acts or of this section; and in the application of the former Acts the expression 'burgh' shall be construed to mean special lighting district, 'commissioners,' 'town council,' and 'commissioners of police,' to mean district committee, and 'elector' and 'ratepayer' to mean a person registered as a county elector the subject of whose qualification is situated within the special lighting district.")
Line 17, after ("Scotland") insert ("Amendment")

Page 34.

Line 23, leave out ("eleventh day of December") and insert ("fifteenth day of May in the year")
Line 24, leave out ("ninety-four") and insert ("ninety-five")
Line 38. after ("passed") insert ("provided that any re-
" arrangement of the duties and remuneration of existing
" medical officers holding office under the Poor Law
" (Scotland) Act, 1845, shall be subject to the approval
" of the Board.")

Page 35.

Line 2, after ("council") insert ("Provided that if any existing
" inspector of poor is aggrieved by such distribution of
" business, or by the imposition or withdrawal of any
" duties, he may, within one month after the date of any
" resolution of the council distributing such business or
" imposing or withdrawing such duties, appeal to the Board,
" whose decision shall be final.")

Page 36.

Line 9, after ("respectively") insert ("the expression 'town
" clerk' includes the clerk to the burgh commissioners of a
" police burgh")

Page 40, after line 25 insert

52 & 53 Vict. c. 50.	Local Govern- ment (Scot- land) Act, 1889.	Section twenty-eight, sub- section (2), (i), the words "who is not " married, or who being " married is not living " in family with her " husband."	} The commence- ment of this Act.
44 Vict. c. 13. -	Municipal Elec- tions Amend- ment (Scot- land) Act, 1881.	Section two, the words "who are not married, " and married females " not living in family " with their husbands."	

Page 41.

Leave out lines 30 to 41.

Page 43.

Line 15, after ("adopted") insert ("or any byelaw made thereunder")

LORDS AMENDMENTS
TO THE
LOCAL GOVERNMENT (SCOTLAND)
BILL.

*Ordered, by The House of Commons, to be Printed,
20 August 1894.*

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[*Price 1d.*]

[Bill 360.]

A
B I L L

FOR

Removal of the Restrictions on the use of Locomotive Engines for Threshing purposes. A.D. 1894.

WHEREAS it is expedient in the interests of agriculture that the restrictions upon the use of steam locomotive engines employed for threshing should be the same as those now in force upon the use of locomotives used for ploughing purposes :

5 Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as the Locomotive Threshing Engines Short title.
10 Act, 1894.

2. Any provision in any Act contained prohibiting under penalty the erection and use of any steam engine, gin, or other like machine or any machinery attached thereto within the distance of twenty-five yards from any part of any turnpike road, highway, carriage-
15 way, or cartway, unless such steam engine, gin, or other like engine or machinery be within some house or other building, or behind some fence, wall, or screen sufficient to conceal or screen the same from such turnpike road, highway, carriageway, or cartway, shall not extend to prohibit the use of any locomotive steam engine for
20 the purpose of threshing within such distance of any such turnpike road, highway, carriageway, or cartway, provided a person shall be stationed in the road and employed to signal the driver when it shall be necessary to stop and to assist horses and carriages drawn by horses passing the same, and provided the driver of the engine
25 do stop in proper time.

Threshing engines to be exempt from previous penalties and restrictions.

Locomotive Threshing Engines.

A

B I L L

For removal of the Restrictions on the
use of Locomotive Engines for
Threshing purposes.

(Prepared and brought in by
*Sir John Kennerly, Sir William Walpole,
Sir Mark Stewart, Mr. Clancy, Mr. Wingfield
Digby, Mr. Lambert, and Mr. Round.*)

*Ordered, by The House of Commons, to be Printed,
20 April 1894.*

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HODGES, FROGIS & CO., LIMITED, 104, Grafton Street, Dublin.

[*Price 1d.*]

[Bill 183.]

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Removal of the Restrictions on the use of Locomotive Engines for Threshing purposes. A.D. 1894.

WHEREAS it is expedient in the interests of agriculture that the restrictions upon the use of steam locomotive engines employed for threshing should be the same as those now in force upon the use of locomotives used for ploughing purposes :

5 Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as the Locomotive Threshing Engines Short title.
10 Act, 1894.

2. Any provision in any Act contained prohibiting under penalty the erection and use of any steam engine, gin, or other like machine or any machinery attached thereto within the distance of twenty-five yards from any part of any turnpike road, highway, carriage-
15 way, or cartway, unless such steam engine, gin, or other like engine or machinery be within some house or other building, or behind some fence, wall, or screen sufficient to conceal or screen the same from such turnpike road, highway, carriageway, or cartway, shall not extend to prohibit the use of any locomotive steam engine or
20 any machinery attached thereto for the purpose of threshing within such distance of any such turnpike road, highway, carriageway, or cartway, provided a person shall be stationed in the road and employed to signal the driver when it shall be necessary to stop and to assist horses and carriages drawn by horses passing the
25 same, and provided the driver of the engine do stop in proper time.

Threshing engines to be exempt from previous penalties and restrictions.

Locomotive Threshing Engines.

A

B I L L

[AS AMENDED BY THE SELECT
COMMITTEE]

For removal of the Restrictions on the
use of Locomotive Engines for
Threshing purposes.

*(Prepared and brought in by
Sir John Kenanway, Sir William Walbond,
Sir Mark Stewart, Mr. Clancy, Mr. Wingfield
Digby, Mr. Lambert, and Mr. Round.)*

*Ordered, by The House of Commons, to be Printed,
20 June 1894.*

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[Price 3d.]

[Bill 292.]

A

B I L L

TO

Enable the London County Council to purchase Spitalfields Market and Covent Garden Market. A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

5 **1.** This Act may be cited for all purposes as the London Short title.
Markets (Spitalfields and Covent Garden) Act, 1894.

2. In the construction of this Act the following terms shall have Interpreta-
tion of terms.
the meanings herein-after assigned to them respectively :

The term " Council " shall mean the London County Council ;

10 The term " owner " shall include lessee ;

15 The term " market rights " with respect to any market shall include all tolls, standings, stallage, and other rents, dues, profits, rights, privileges, easements, and advantages whatsoever appertaining or reputed to appertain to the market and the market estate or any part thereof, or usually held, occupied, or enjoyed with or reputed or known as part or parcel of or appurtenant to the same or any part thereof.

20 **3.** The Council may purchase by agreement with the owner or owners of either of the markets mentioned in the schedule to this Act respectively, and the said owner or owners respectively may sell and transfer to the Council their market and the market estate and the market rights on such terms and for such sums as may be agreed on between the Council and the said owners respectively. Purchase of
markets.
Upon the completion of each of such sales the market and the
25 market estate and the market rights shall, subject to all contracts, obligations, debts, and liabilities affecting the same, be absolutely vested in the Council, and may be used, exercised, and enjoyed by

[Bill 49.]

A.D. 1894. the Council in the same manner and as effectually as they might have been used, exercised, and enjoyed by the said owners thereof but for such sale.

Money to be
raised on
capital
account.

4.—(1.) The Council may expend on capital account for the purposes of this Act such money as they may from time to time 5 think fit, and in order to raise or provide the money required for that purpose the Council may from time to time create and issue Consolidated Stock, or resort to the Consolidated Loans Fund, or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of 10 money for capital purposes by the Council :

Provided that in addition to any security upon which such stock may be created or money raised under the said Acts and this Act, the same shall, by way of further security, be charged upon the markets purchased by the Council and vested in them under this 15 Act, and shall be a first charge thereon.

(2.) The Council shall make provision for the redemption of such stock or the repayment of any money borrowed or expended on capital account for the purposes of this Act within a period of not exceeding sixty years from the date of the expenditure of such 20 money in accordance with the provisions in relation to redemption and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account.

Expenses
under Act.

5. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this 25 or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act, 1888.

The SCHEDULE referred to in this Act.

Spitalfields Market, in the parish of Christchurch, Spitalfields.

Covent Garden Market, in the parish of St. Paul, Covent Garden.

London Markets.

A

B I L L

To enable the London County Council
to purchase Spitalfields Market and
Covent Garden Market.

(*Prepared and brought in by*
Mr. Samuel Montagu, Mr. Cremer,
Mr. Rickersgill, Sir Albert Rollit,
and Mr. James Stuart.)

Ordered, by The House of Commons, to be Printed,
16 March 1894.

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[*Price 3d.*]

[Bill 49.]

Magistrates Qualification Bill.

MEMORANDUM.

OBJECTS OF THE BILL.

The objects of this Bill are to amend the mode of appointment of and the qualification required for county justices.

EFFECT OF THE BILL.

By clause 1 it does away with the practice of appointing on the recommendation or nomination of the Lord Lieutenant, which was until recently almost invariably the usage, though that practice had no legal sanction.

By clause 2 it enables a county council, when it considers any new appointment is required, to send up or recommend names to the Lord Chancellor or other proper officer (*i.e.*, in the Duchy of Lancaster, the Chancellor of the Duchy) of persons proper to be appointed.

By clause 3 it gives power to recommend similar to that given by clause 2 to the county council to public local authorities within the county as defined by clause 5.

By clause 4 it enables any person who has during the two years immediately preceding his appointment been the occupier of a dwelling-house in the county, whether his house is assessed at 100*l.* a year or not, to be appointed.

It repeals certain words in 38 & 39 Vict. c. 54., amending 18 Geo. 2. c. 20., which made residence in a house assessed to house duty at 100*l.* a year a qualification for the county bench.

The ancient Act, 2 Hen. 5. Stat. 2 (A.D. 1414), required that county justices should be made of the "most *sufficient* persons dwelling in the same counties," by the advice of the Chancellor and of the King's Council. It is probable that "most sufficient" there means "most rich" or "most influential."

By this Bill it is proposed to enact that instead of the "most *sufficient*" persons, the "most *efficient*" persons should be appointed.

By clause 5 "public local authority" is defined.

[Bill 128.]

NOTE.

The Statute 27 Hen. 8. c. 24. (A.D. 1535) enacts that no person shall have any power or authority to make any justices of the peace, but that all shall be made under the King's Great Seal in the name and by the authority of the King's Highness and his heirs in all shires, counties, &c., any grants, usages, &c., to the contrary notwithstanding.

A

B I L L

TO

Amend the Law relating to the Qualification and Appointment of Justices of the Peace in Counties. A.D. 1894.

WHEREAS the appointment of justices of the peace for counties is made by the Crown upon the advice of and through the Lord Chancellor (except in the case of the Duchy of Lancaster, where it is made upon the advice of and through the
 5 Chancellor of the said Duchy):

And whereas the Lord Chancellor and the Chancellor of the said Duchy have until recently usually acted upon the nomination or recommendation of the Lord Lieutenant of the county for which justices are being appointed:

10 And whereas such mode of nomination or recommendation is not founded upon any law or statute:

And whereas it is desirable that such mode of nomination or recommendation should cease, and that other provision should be made:

15 And whereas it is also desirable that efficient persons should be capable of being made justices of the peace in counties, although they have not the qualification by estate or by the value of their houses now required by law:

Be it therefore enacted by the Queen's most Excellent Majesty,
 20 by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. No appointment of justices of the peace for a county shall hereafter be made upon the nomination or recommendation of the
 25 Lord Lieutenant thereof, but such appointments shall be made by the Crown upon the advice of and through the Lord High Chancellor or other proper officer of the Crown upon a consideration of any names of persons who may occur to him or be suggested to him in the mode herein-after stated as fit and proper persons to be
 30 so appointed.

2. It shall be lawful for the county council of any administrative county from time to time to represent to the Lord Chancellor or
 [Bill 128.] County council may submit

A

A.D. 1894. other proper officer of the Crown the need of an appointment of a justice in such administrative county, and at the same time to suggest and submit to him, for his consideration, the name of such person as they shall think most competent to act as justice of the peace for their administrative county, or, in case their administrative county forms part of any larger area, for such larger area. 5

names to the Lord Chancellor.
Public local authorities may in like manner submit names.

3. It shall also be lawful for any public local authority, as herein-after defined, to represent to the Lord Chancellor or other proper officer of the Crown the need within the district in or over which such public local authority hath jurisdiction or authority of an appointment of a justice in and for the county wherein such district or some part thereof is situate, and at the same time to suggest and submit to him for his consideration the name of such person resident in or near such district as they shall think most competent to act as justice of the peace in and for such county. 10 15

Resident householders may be appointed.

4. The words "assessed to the inhabited house duty at the value of not less than one hundred pounds," contained in section one of the Act thirty-eight and thirty-nine Victoria, chapter fifty-four, entitled "An Act to amend the qualification required by persons acting as justices of the peace," shall be and are hereby repealed, and such section shall be read and have effect as though such words were omitted; and 2 Henry 5, Statute the Second, which enacts that the justices of the peace from henceforth to be made within the counties of England shall be made of the most sufficient persons dwelling in the same counties," shall be read and have effect as if the word "efficient" were there substituted for the word "sufficient." 20 25

Interpretation.

51 & 52 Vict. c. 41. ss. 46, 100.

5. In this Act—

The phrase "administrative county" shall have the same meaning as in the Local Government Act, 1888:

The phrase "public local authority" shall mean town council of a borough having no separate commission of the peace, improvement commissioners, district council, and such other elected public body or bodies as the Lord Chancellor shall from time to time by order in writing under his hand direct. 30

Extent of Act.

6. This Act shall not apply to Scotland or Ireland, or to county borough councils. 35

Short title.

7. This Act may be cited as the County Justices Act, 1894.

Magistrates Qualification.

A

B I L L

To amend the Law relating to the Qualification and Appointment of Justices of the Peace in Counties.

(Prepared and brought in by
*Mr. Dodd, Mr. Stansfeld, Mr. Arch,
Mr. Channing, Mr. Charles Fennell, Mr. Carvell
Williams, and Mr. Neville.*)

*Ordered, by The House of Commons, to be Printed,
30 March 1894.*

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90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., LIMITED, 104, Grafton Street, Dublin

[*Price 1d.*]

[Bill 128.]

Market Gardeners Compensation Bill.

MEMORANDUM.

The objects of this Bill are to give to tenants of market gardens—

- (1.) Power to remove conservatories and other buildings erected by them for the purpose of their business ;
 - (2.) Compensation for fruit trees, fruit bushes, and other crops ;
and
 - (3.) Power to remove fruit stocks.
-

A

B I L L

TO

Extend the provisions of the Agricultural Holdings (England) Act, 1883, so far as they relate to Market Gardens. A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

5 1. This Act may be cited as the Market Gardeners Compensation Act, 1894, and shall be read and construed as part of the Agricultural Holdings (England) Act, 1883, herein-after called the principal Act. Short title and construction.

10 2. This Act shall come into operation on the *first day of January one thousand eight hundred and ninety-five*, which date is herein-after referred to as the commencement of this Act. Commencement of Act.

15 3. From and after the commencement of this Act the provisions contained in section thirty-four of the principal Act shall extend and be applicable to every conservatory, forcing house, forcing pit, or any other erection or building put up or constructed or affixed either before or after the commencement of this Act by a tenant for the purposes of his trade or business of a market gardener upon or in or to a holding which, either in whole or in part, is cultivated as a market garden. Extension of section 34 of 46 & 47 Vict. c. 61.

20 4. From and after the commencement of this Act the First Schedule to the principal Act shall, as far as regards holdings cultivated either in whole or in part as market gardens, be amended in the following particulars (that is to say) :— Amendment and extension of First Schedule to 46 & 47 Vict. c. 61.

25 The improvement numbered (11), "Planting of orchards or fruit bushes," shall cease to be comprised in Part I. of the said schedule; and the following improvements shall be comprised in Part III. of the said schedule :—

(i.) Planting of standard fruit trees.

(ii.) Planting of fruit bushes.

[Bill 81.]

A

A.D. 1894.

(iii.) Planting of strawberry plants.

(iv.) Planting of asparagus and other vegetable crops.

(v.) The application to land of manure not produced on the holding other than such as is included in Part III. of the said schedule.

5

Compensation to be payable for improvements under this Act executed before as well as after commencement of Act.

5. Compensation under the principal Act as amended by this Act shall be payable in respect of the aforesaid improvements, whether the same respectively shall have been executed before or shall be executed after the commencement of this Act.

No compensation in cases in which the tenant has executed the improvement in consideration of some equivalent benefit.

6. No compensation shall be payable in respect of any of the said improvements if the landlord shall have allowed or shall hereafter allow to the tenant some benefit equal in money value at the least to the sum which would otherwise be payable to the tenant as compensation in respect of such improvement, and the tenant shall have executed or shall hereafter execute such improvement in consideration of such benefit.

15

Amendment of section 56 of 46 & 47 Vict. c. 61.

7. So far as relates to the improvements mentioned in the fourth section of this Act, section fifty-six of the principal Act shall be read and construed as if the words "with the consent in writing of his landlord" were not included therein.

20

Power for tenant to remove fruit stocks before end of tenancy.

8. It shall be lawful for the tenant of a holding cultivated either in whole or in part as a market garden to remove all fruit stocks planted by him on the holding either before or after the commencement of this Act, and not being more than nine inches in girth immediately below the branches and not set out in rows or as a permanent plantation; but if the tenant shall not remove such fruit stocks previously to the termination of his tenancy, such stocks shall remain the property of the landlord, and the tenant shall not be entitled to any compensation in respect thereof.

25

Act not to apply to nursery ground.

9. Nothing in this Act contained shall apply to any land cultivated as nursery ground.

30

Act to apply to current as well as future tenancies.

10. The provisions contained in this Act shall apply to every holding cultivated in whole or in part as a market garden, whether the same be held under a contract of tenancy current at the commencement of this Act or beginning after that date.

35

Market Gardeners Compensation.

A

B I L L

To extend the provisions of the
Agricultural Holdings (England)
Act, 1883, so far as they relate to
Market Gardens.

(*Prepared and brought in by*
Sir Edmund Lechmere, Mr. Jesse Collings,
Sir A. Rollit, Sir T. Esmonde,
Mr. Channing, and Mr. Maguire)

Ordered, by The House of Commons, to be Printed,
16 March 1894.

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50, West Nile Street, Glasgow; or
HODGES, FREGES, & Co., LIMITED, 109, Grafton Street, Dublin.

[*Price 1d.*]

[Bill 81.]

A

B I L L

[AS AMENDED BY THE STANDING COMMITTEE ON TRADE]

TO

Extend the provisions of the Agricultural Holdings A.D. 1894.
(England) Act, 1883, so far as they relate to Market
Gardens. —

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :

5 **1.** This Act may be cited as the Market Gardeners Compensation Short title
and con-
struction.
Act, 1894, and shall be read and construed as part of the
Agricultural Holdings (England) Act, 1883, herein-after called the
principal Act.

10 **2.** This Act shall come into operation on the first day of Commence-
ment of Act.
January one thousand eight hundred and ninety-five, which date is
herein-after referred to as the commencement of this Act.

15 **3.** From and after the commencement of this Act the provisions Extension of
section 34 of
46 & 47 Vict.
c. 61.
contained in section thirty-four of the principal Act shall extend
to every fixture or building affixed or erected either before or after
the commencement of this Act by a tenant for the purposes of his
trade or business of a market gardener upon or in or to a market
garden.

20 **4.** From and after the commencement of this Act the following Amendment
and exten-
sion of First
Schedule to
46 & 47 Vict.
c. 61.
improvements comprised in Part I. of the First Schedule to the
principal Act, that is to say,—

 (1) erection or enlargement of buildings (6) making of gardens
 and (11) planting of orchards or fruit bushes
shall, as far as regards market gardens, cease to be comprised in
the said schedule; and where a tenant intends to execute any of the
25 following improvements, viz. :—

- (i.) Planting of standard or other fruit trees,
- (ii.) Planting of fruit bushes,
- (iii.) Planting of strawberry plants,

[Bill 305.]

A.D. 1894.

(iv.) Planting of asparagus,

(v.) Erection or enlargement of buildings for the purposes of his trade or business of a market gardener,

he shall, not more than three months nor less than two months before beginning to execute such improvement, give notice in writing to the landlord or his agent of his intention so to do, and unless the landlord or his agent shall, within one month after the receipt by him of such notice, give the tenant a notice in writing of the landlord's dissent from such improvement, the tenant shall be at liberty to execute the same, and shall be entitled to compensation therefor under the principal Act.

If the landlord or his agent shall, within the time last aforesaid, deliver to the tenant such notice of dissent as aforesaid, the question whether or not the intended improvement is suitable to and likely to add to the value of the holding shall be determined by a reference under the principal Act.

If it shall appear by the award made on any such reference that the intended improvement is suitable to and is likely to add to the value of the holding, the tenant shall be at liberty to execute the same, and shall be entitled to compensation therefor under the principal Act, unless the landlord shall execute the improvement himself within such time and in such manner as may be agreed upon by himself or his agent and the tenant, or as, in case of difference between them, may be determined by the referee or umpire who shall have made the aforesaid award.

But if it shall appear by the award that the intended improvement is not suitable to or that it is not likely to add to the value of the holding, the tenant, if he executes such improvement, shall not be entitled to any compensation for the same.

Temporary provision in reference to fruit trees, &c. planted within three years prior to commencement of Act.

5. If a tenant of a market garden shall have planted standard or other fruit trees or fruit bushes, or strawberry plants, or asparagus, without the consent of the landlord within three years prior to the commencement of this Act, and shall within six months after its commencement give notice in writing to the landlord or his agent that he has planted such trees, bushes, strawberry plants, or asparagus, he shall be entitled to compensation for the same under the principal Act.

Amendment of section 56 of 46 & 47 Vict. c. 61.

6. So far as relates to the improvements mentioned in the fourth section of this Act, section fifty-six of the principal Act shall be read and construed as if the words "with the consent in writing of his landlord" were not included therein.

7. It shall be lawful for the tenant of a market garden to remove all fruit trees and bushes planted by him on the holding either before or after the commencement of this Act, and not permanently set out; but if the tenant shall not remove such fruit trees and bushes previously to the termination of his tenancy, such trees and bushes shall remain the property of the landlord, and the tenant shall not be entitled to any compensation in respect thereof.

A.D. 1894.

Power for tenant to remove fruit trees and bushes before end of tenancy.

8. The provisions contained in this Act shall apply to every market garden, whether the same be held under a contract of tenancy current at the commencement of this Act or beginning after that date.

Act to apply to current as well as future tenancies.

9. Any compensation payable under this Act shall, as regards land belonging to Her Majesty the Queen, Her heirs and successors, in right of the Crown or in right of the Duchy of Lancaster, and as regards land belonging to the Duchy of Cornwall, be paid in the same manner and out of the same funds respectively as if it were payable in respect of an improvement mentioned in the first part of the First Schedule to the principal Act, except that as regards land belonging to Her Majesty the Queen, Her heirs and successors, in right of the Crown, compensation for planting strawberry plants and asparagus shall be paid in the same manner and out of the same fund as if it were payable in respect of an improvement mentioned in the third part of the said schedule.

As to Crown lands and lands belonging to the Duchies of Lancaster and Cornwall.

10. For the purposes of the principal Act and of this Act, the expression "market garden" shall mean a holding cultivated as a garden or orchard exclusively or mainly for the sale of the produce thereof.

Definition of market garden.

Market Gardeners Compensation.

A

B I L L

[AS AMENDED BY THE STANDING
COMMITTEE ON TRADE]

To extend the provisions of the
Agricultural Holdings (England)
Act, 1883, so far as they relate to
Market Gardens.

(*Prepared and brought in by*
Sir Edmund Lechmere, Mr. Jesse Collins's,
Sir A. Rollit, Sir T. Esmonde,
Mr. Channing, and Mr. Maguire.)

Ordered, by The House of Commons, to be Printed,
3 July 1894.

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80, West Nile Street, Glasgow; or
HODGES, FRODIP, & CO., LIMITED, 103, Grafton Street, Dublin.

[*Price 3d.*]

[Bill 305.]

A

B I L L

TO

Amend the Law as to Marriage with a Deceased Wife's Sister. A.D. 1894.

WHEREAS it is expedient to amend the law as to marriage with a deceased wife's sister :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and
 5 Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. No marriage heretofore contracted within the realm or with-
 out, and no marriage hereafter contracted in England or Ireland
 in the office of any registrar, or in any building duly registered at
 10 which the presence of a registrar is necessary, or in Scotland or
 elsewhere, shall be deemed to have been or shall be void or voidable
 by reason only of having been or being contracted between a man
 and his deceased wife's sister, notwithstanding any statute, canonical
 or other objection, unless it has been already annulled by some
 15 Court of competent jurisdiction, or shall be so annulled in a suit
 already instituted, or unless either party thereto has (after the
 marriage and during the life of the other) already lawfully married
 another; and such evidence as would be proof of any other
 marriage shall be received for all purposes as evidence of such
 20 marriages respectively; but no right, title, estate, or interest now
 existing in, to, or in respect of any dignity, title of honour, or
 property, shall be prejudicially affected hereby.

Marriage between a man and his deceased wife's sister not to be deemed void.

Except as herein provided.

Existing rights not to be effected.

2. Provided that no minister of the Church of Scotland shall be
 liable to any legal pains or penalties for not celebrating a marriage
 25 between a man and his deceased wife's sister, and no clergyman of
 the Church of England or minister of the Church of Scotland shall
 be liable to any legal pains or penalties for withholding the rights
 and privileges of church membership from persons living together

Privileges of church membership may be withheld.

[Bill 199.]

A.D. 1894.

Act not to
relieve
clergymen
so marrying
from the
discipline
of their
Church.

Short title.

in marriage made valid by this Act, or from either of them. And nothing herein contained shall relieve any such clergyman or minister from any ecclesiastical pains or penalties to which he would otherwise be liable if this Act had not been passed by reason of his contracting or having contracted or living in marriage with 5 his own deceased wife's sister.

3. This Act may be cited as the Deceased Wife's Sister Act, 1894.

Marriage with a Deceased Wife's Sister.

A

B I L L

To amend the Law as to Marriage with
a Deceased Wife's Sister.

(*Prepared and brought in by*
Mr. Rees Davies, Mr. J. A. Bright,
Mr. Lloyd George, Mr. Arch. Mr. Husband,
and Mr. Joseph Pease.)

Ordered, by The House of Commons, to be Printed,
27 March 1894.

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90, West Nile Street, Glasgow; or
HODGINS, FIGGIS, & Co., LIMITED, 104, Grafton Street, Dublin.

[*Price 1d.*]

[Bill 199.]

A

B I L L

TO

Amend the Merchandise Marks Acts, 1887 and 1891.

A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same :

- 5 1. This Act may be cited as the Merchandise Marks Act, 1893, and the Merchandise Marks Acts, 1887 and 1891, and this Act may be cited together as the Merchandise Marks Acts, 1887 to 1893. Short title.

- 10 2. All files either single or double cut, cut by machinery, shall be stamped in a legible manner on the body of the file with the words "Machine cut." All files only overcut by machinery shall be stamped in like manner "Machine overcut." All files only upcut by machinery shall be stamped in like manner "Machine upcut." All half round files cut on the flat side only by machinery shall be stamped in like manner "Machine flat sided." Provision
for stamping
files.

- 15 3. This Act shall come into force on the *first day of January*, one thousand eight hundred and ninety-five. Commence-
ment of Act.

Merchandise Marks
Acts (1887 and 1891)
Amendment
(Cutlery).

A

B I L L

To amend the Merchandise Marks
Acts, 1887 and 1891.

(Prepared and brought in by
Mr. Bernard Coleridge, Mr. Stuart Wortley,
Mr. Henry J. Wilson, and Mr. Howell.)

*Ordered, by The House of Commons, to be Printed,
20 March 1894.*

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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JOHN MENZIES & CO., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FROGGS, & CO., LIMITED, 104, Grafton Street, Dublin.

[*Price 4d.*]

[Bill 98.]

A

B. I L L

TO

Amend the Merchandise Marks Acts, 1887 and 1891, in A.D. 1894.
respect of the Marking of Files.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 1. This Act may be cited as the Merchandise Marks (Files) Act, 1894, and shall be read as one with the Merchandise Marks Acts, 1887 and 1891. Short title and construction.
- 10 2.—(1.) After the commencement of this Act all files sold or exposed for sale or used for any purpose of trade or manufacture in, or imported into the United Kingdom, shall be marked legibly and in a manner reasonably sufficient for the information of any purchaser with words stamped upon the metal of which such files are made, and indicating whether such files are cut by hand or by machinery, or partly by hand and partly by machinery. Files to be marked.
- 15 (2.) Such one of the expressions "hand cut," "machine cut," or "partly hand cut," as shall be a true description of the mode of manufacture of any file or files to which the same may be applied, shall be a sufficient mark within the meaning of the last preceding sub-section. Form of marks.
- 20 (3.) The Merchandise Marks Acts, 1887 and 1891, shall apply in the case of all files made or sold or exposed for sale, or used or imported as above-mentioned, without such mark as in this section mentioned as if the want of such mark were a false trade description within the meaning of those Acts: Provided always that nothing
- 25 in this Act shall be taken to affect any provision in the Merchandise Marks Act, 1887, whereby a false description of the mode of manufacture is declared to be a false trade description as defined in that Act. Application of Merchandise Marks Acts, 1887 and 1891.
- 30 3. This Act shall come into operation on the *first day of November one thousand eight hundred and ninety-four.* Commencement of Act.
- [Bill 126.]

Merchandise Marks (Files).

A

B I L L

To amend the Merchandise Marks Acts,
1887 and 1891, in respect of the
Marking of Files.

(Prepared and brought in by
*Mr. Stuart-Wortley, Mr. Coleridge,
Sir E. Ashmead-Bartlett, and
Colonel Howard Vincent).*

*Ordered, by The House of Commons, to be Printed,
29 March 1894.*

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGINS, FIGGIS, & Co., LIMITED, 104, Grafton Street, Dublin.

[*Price 3d.*]

[Bill 126.]

A

B I L L

FOR

Enabling the Board of Agriculture to undertake prosecutions in certain cases under the Merchandise Marks Act, 1887. A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 **1.** The powers exercisable by the Board of Trade under the Merchandise Marks Act, 1891, with respect to the prosecution of offences under the Merchandise Marks Act, 1887, may in cases which appear to the Board of Agriculture to relate to agricultural or horticultural produce be exercised by that Board, and in such
10 cases the former Act shall apply as if the Board of Agriculture were referred to therein instead of the Board of Trade.
- Power of Board of Agriculture to prosecute in certain cases.
54 & 55 Vict. c. 15.
50 & 51 Vict. c. 28.
- 2.** This Act shall not extend to Ireland. Extent of Act.
- 3.** This Act may be cited as the Merchandise Marks (Prosecutions) Act, 1894, and shall be read with the Merchandise Marks
15 Acts, 1887 and 1891. Short title.

Merchandise Marks (Prosecutions).

A

B I L L

For enabling the Board of Agriculture
to undertake prosecutions in certain
cases under the Merchandise Marks
Act, 1887.

(Prepared and brought in by
*Mr. Herbert Gardner, Sir John Herbert, and
Mr. Burt.*)

*Ordered, by The House of Commons, to be Printed,
28 May 1894.*

PRINTED BY EYRE AND SPOTTISWOODE,
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And to be purchased, either directly or through any Bookseller, from
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and 32, Abingdon Street, Westminster, S.W.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
30, West Nile Street, Glasgow; or
HODGES, FIDGIS, & Co., LIMITED, 104, Grafton Street, Dublin.

[*Price ½d.*]

[Bill 259.]

